



**Environmental
Facilities Corporation**

Committees and Board Meetings

Thursday, June 22, 2023

Finance Committee

10:45 a.m.

Audit Committee

11:15 a.m.

Annual Meeting of the Board of Directors

12:00 pm



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President & CEO

Memorandum

June Finance Committee Meeting Information June 14, 2023

To: The Members of the Finance Committee
From: Maureen A. Coleman /s/

Attached please find the agenda and accompanying materials for the June meeting of the Finance Committee, which will take place in the Board Room of the Corporation's office and via videoconference on Thursday, June 22, 2023, at 10:45 a.m.

Should you have any questions regarding the attached information, please contact me at (518) 402-6924.

Thank you,

MAC/ksh

Cc: Nick Risley
Selby Haynes
Executive and Senior Staff
Presenters

Attachments



Environmental Facilities Corporation

Meeting of the Finance Committee

Thursday, June 22, 2023 | 10:45 a.m.

Agenda

1. Call to order by the Chair
2. Roll call and declaration of a quorum
3. Approval of the Draft Minutes from the May 11, 2023 Finance Committee Meeting
4. Review and Reassessment of the Finance Committee Charter
5. Presentation of the Annual Debt Report for the Fiscal Year Ended March 31, 2023
6. Adjournment

New York State Environmental Facilities Corporation

Meeting of the Finance Committee

Thursday, May 11, 2023

Draft Minutes

A meeting of the Finance Committee was held on May 11, 2023, in the Board Room of the Corporation's office located at 625 Broadway, Albany, New York and via videoconference at the following locations: 340 South Bedford Road, Bedford Corners, New York and 169 Hudson Street, New York, New York. A majority of the members of the Committee were present as indicated.

Committee Members:

Francis T. Corcoran, Chair (*via videoconference*)
Vita DeMarchi
Charles Kruzansky
Adam Zurofsky (*via videoconference*)

Board Members:

The following members of the Board of Directors were also present at the meeting but did not vote on or participate in any matters requiring action by the Finance Committee.

Jeffrey Stefanko, Chair, Designee for the Commissioner of Environmental Conservation
Christine A. Westerman, Designee for the Commissioner of Health
James Leary, Designee for the Secretary of State (*via videoconference*)

EFC Staff:

Maureen A. Coleman, President and CEO
Michael P. Hale, Executive Vice President
Henrik Westin, General Counsel
Kate S. Howard, Secretary to the Corporation and Associate Counsel
William Brizzell, Director of Engineering
Brian McClintock, Director of Public Finance
Brian McEvoy, Director of Equity Finance
Maureen McGrath, Director of Administration & Corporate Operations
Albert Schnide, Controller
Derek Sellman, Deputy General Counsel
Kevin Boomhower, Financial Information Systems Analyst
Kaitlin Penner, Deputy Director of Engineering
Erin Gonyea, Financial Analyst II
Bernadette Futia, Information Technology Coordinator III
Adnan Mirza, Systems Administrator

1. Call to order
The Secretary called the meeting to order at 12:05 p.m.
2. Approval of the Draft Minutes from the February 9, 2023 Finance Committee Meeting
Upon motion by Director DeMarchi and seconded by Director Kruzansky, the minutes were unanimously approved.

3. Presentation and Discussion of the Authorization Request for the Issuance of New York State Environmental Facilities Corporation State Clean Water and Drinking Water Revolving Funds Revenue Bonds, Series 2023 B (New York City Municipal Water Finance Authority)
Mr. McClintock presented the proposed State Revolving Funds Debt Authorization Request for Clean Water and Drinking Water State Revolving Funds Bonds, Series 2023 B

Discussion ensued. Upon motion by Director DeMarchi and seconded by Director Kruzansky, the Committee voted unanimously to recommend that the proposed issuance be accepted and approved by the full Board upon presentation of I.D. No. 2 on the May 11, 2023 Board meeting agenda.

4. Adjournment

There being no further business, upon motion by Director DeMarchi and seconded by Director Zurofsky, the meeting adjourned at 12:17 p.m.

BY:

Kate Siobhan Howard
SECRETARY TO THE CORPORATION

FINANCE COMMITTEE CHARTER

New York State Environmental Facilities Corporation

Purpose

The Finance Committee is appointed by the Board to assist the Board in reviewing, approving or recommending to the full Board of Directors, as required, the issuance of bonds or notes by the Corporation. The Finance Committee shall make recommendations and shall render advice with regard to financial policies of the Corporation.

Committee Membership

The Finance Committee shall consist of not less than three independent Board members, who shall constitute a majority on the committee. An independent member is one who: (a) is not, and in the past two years has not been, employed by the Corporation in an executive capacity; (b) is not, and in the past two years has not been, employed by an entity that received remuneration valued at more than \$15,000 for goods and services provided to the Corporation or received any other form of financial assistance valued at more than \$15,000 from the Corporation; (c) is not a relative of an executive officer or employee in an executive position of the Corporation; and (d) is not, and in the past two years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or any other similar actions of the Corporation. In the event the Board has less than three independent Board Members, the Board may appoint non-independent Board Members to the Finance Committee, provided that independent members must constitute a majority of the Finance Committee. The Board, or the Chair subject to prior approval by the Board, shall appoint the members and Chairperson of the Finance Committee. Each member of the Finance Committee shall serve until the next annual meeting of the Board of Directors and thereafter until his or her successor is appointed. Finance Committee members may be replaced by a majority vote of the Board of Directors.

Meetings

The Finance Committee shall meet as often as it determines, but not less frequently than annually. The Finance Committee shall meet at least annually together with the Corporation's senior management and Board of Directors. The Finance Committee may request any officer or employee of the Corporation or the Corporation's outside counsel to attend a meeting of the Committee or to meet with any members of, or consultants to, the Committee.

An agenda shall be prepared and distributed to each Committee member prior to each meeting. The minutes of the meeting shall be prepared in accordance with the New York Open Meetings Law.

Committee Authority and Responsibilities

1. The Finance Committee shall develop, and regularly review and update as necessary, policies relating to the issuance of bonds or notes by the Corporation.

2. The Finance Committee shall receive and consider staff recommendations relating to, and shall review and recommend for approval by the Board, each issuance of bonds or notes by the Corporation.
3. The Finance Committee may form and delegate authority to any subcommittee(s) consisting of one or more members when appropriate.
4. The Finance Committee shall have the authority, to the extent it deems necessary or appropriate, to retain independent professional advisors with notice to the Board of Directors.
5. The Finance Committee shall have the authority, to the extent it deems necessary or appropriate, to consult with any appropriate commission or office relating to public authority finance or the Corporation's Directors, senior management or employees on issues related to its duties.
6. The Finance Committee shall develop, for approval by the Board of Directors, all reports as may be required to be submitted from time to time to any appropriate commission or office relating to debt issuance by public authorities.
7. The Finance Committee shall review and reassess the adequacy of this Charter from time to time and propose its recommended changes to the Board of Directors for approval. The Board of Directors shall annually review the Finance Committee's performance.

The Board of Directors last reviewed and approved this Charter, effective June 23, 2022.



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

Annual Debt Report **Fiscal Year Ended March 31, 2023**

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NYS Environmental Facilities Corporation
Schedule of Debt for Fiscal Year Ended March 31, 2023
State Revolving Fund

Schedule 1

| Series | Date of Issuance | Original Par | Outstanding 3/31/22 | Redeemed | Issued | Outstanding 3/31/23 | Maturity | Interest Rates |
|--------|------------------|---------------|---------------------|-------------|-------------|---------------------|------------|----------------|
| 2004C | 4/7/2004 | 245,965,000 | 61,250,000 | 4,655,000 | | 56,595,000 | 6/15/2033 | 3.10%-5.25% |
| 2010B | 2/11/2010 | 196,460,000 | 167,985,000 | 5,915,000 | | 162,070,000 | 6/15/2039 | 4.005%-5.807% |
| 2011A | 3/17/2011 | 132,745,000 | 535,000 | 535,000 | | - | 8/15/2022 | 3.00%-5.00% |
| 2012A | 5/31/2012 | 496,145,000 | 180,305,000 | 180,305,000 | | - | 6/15/2029 | 2.00%-5.00% |
| 2012B | 6/21/2012 | 88,950,000 | 40,180,000 | 5,510,000 | | 34,670,000 | 2/15/2042 | 2.00%-5.00% |
| 2012C | 6/21/2012 | 14,440,000 | 5,525,000 | 1,220,000 | | 4,305,000 | 12/15/2029 | 0.504%-3.684% |
| 2012D | 7/12/2012 | 316,790,000 | 100,370,000 | 100,370,000 | | - | 6/15/2028 | 2.00%-5.00% |
| 2012E | 11/15/2012 | 98,640,000 | 59,665,000 | 4,380,000 | | 55,285,000 | 11/15/2042 | 1.00%-5.00% |
| 2012F | 11/15/2012 | 33,465,000 | 5,335,000 | 2,525,000 | | 2,810,000 | 11/15/2024 | 0.25%-2.806% |
| 2013A | 7/11/2013 | 401,090,000 | 256,770,000 | 20,680,000 | | 236,090,000 | 6/15/2033 | 3.00%-5.00% |
| 2013B | 8/1/2013 | 166,585,000 | 108,840,000 | 8,565,000 | | 100,275,000 | 5/15/2043 | 2.00%-5.00% |
| 2014A | 3/27/2014 | 347,385,000 | 241,630,000 | 17,855,000 | | 223,775,000 | 6/15/2034 | 2.00%-5.00% |
| 2014B | 7/2/2014 | 213,635,000 | 149,850,000 | 8,955,000 | | 140,895,000 | 5/15/2044 | 1.00%-5.00% |
| 2015A | 7/2/2015 | 219,770,000 | 173,465,000 | 8,255,000 | | 165,210,000 | 6/15/2045 | 2.00%-5.00% |
| 2015B | 8/20/2015 | 80,520,000 | 66,040,000 | 2,330,000 | | 63,710,000 | 3/15/2045 | 2.00%-5.00% |
| 2015C | 8/20/2015 | 31,370,000 | 18,020,000 | 2,065,000 | | 15,955,000 | 7/15/2030 | .50%-3.82% |
| 2015D | 8/20/2015 | 367,455,000 | 233,530,000 | 21,415,000 | | 212,115,000 | 3/15/2037 | 2.00%-5.00% |
| 2016A | 6/29/2016 | 500,955,000 | 433,385,000 | 16,265,000 | | 417,120,000 | 6/15/2046 | 2.00%-5.00% |
| 2016B | 9/22/2016 | 104,415,000 | 90,595,000 | 2,730,000 | | 87,865,000 | 8/15/2046 | 1.00%-5.00% |
| 2016C | 9/22/2016 | 29,260,000 | 20,605,000 | 1,740,000 | | 18,865,000 | 7/15/2039 | .75%-3.113% |
| 2017A | 4/13/2017 | 588,745,000 | 483,800,000 | 20,090,000 | | 463,710,000 | 6/15/2046 | 2.00%-5.00% |
| 2017B | 4/13/2017 | 336,335,000 | 268,770,000 | 19,075,000 | | 249,695,000 | 6/15/2036 | 1.271%-3.916% |
| 2017C | 11/9/2017 | 91,580,000 | 79,835,000 | 2,685,000 | | 77,150,000 | 6/15/2047 | 2.00%-5.00% |
| 2017D | 11/9/2017 | 66,445,000 | 52,140,000 | 3,675,000 | | 48,465,000 | 1/15/2047 | 1.50%-3.751% |
| 2017E | 12/14/2017 | 337,955,000 | 317,950,000 | 6,275,000 | | 311,675,000 | 6/15/2047 | 3.00%-5.00% |
| 2018A | 8/2/2018 | 319,715,000 | 241,315,000 | 11,980,000 | | 229,335,000 | 6/15/2037 | 3.00%-5.00% |
| 2018B | 11/29/2018 | 258,340,000 | 247,825,000 | 4,420,000 | | 243,405,000 | 6/15/2048 | 3.00%-5.00% |
| 2019A | 6/13/2019 | 120,700,000 | 112,330,000 | 2,765,000 | | 109,565,000 | 2/15/2049 | 3.00%-5.00% |
| 2019B | 10/8/2019 | 339,475,000 | 327,220,000 | 11,160,000 | | 316,060,000 | 6/15/2049 | 3.00%-5.00% |
| 2020A | 4/8/2020 | 171,385,000 | 165,545,000 | 7,625,000 | | 157,920,000 | 6/15/2049 | 4.00%-5.00% |
| 2020B | 12/17/2020 | 123,110,000 | 118,580,000 | 3,900,000 | | 114,680,000 | 10/15/2050 | 3.00%-5.00% |
| 2021A | 6/30/2021 | 284,745,000 | 284,745,000 | 17,130,000 | | 267,615,000 | 6/15/2041 | 3.00%-5.00% |
| 2021B | 12/9/2021 | 144,540,000 | 143,365,000 | 7,220,000 | | 136,145,000 | 8/15/2050 | 4.00%-5.00% |
| 2022A | 4/21/2022 | 413,005,000 | | - | 413,005,000 | 413,005,000 | 6/15/2051 | 4.00%-5.00% |
| 2022B | 12/6/2022 | 326,775,000 | | 1,410,000 | 326,775,000 | 325,365,000 | 9/15/2052 | 5.00%-5.25% |
| | | 8,008,890,000 | 5,257,300,000 | 535,680,000 | 739,780,000 | 5,461,400,000 | | |

Note

The above bonds are special limited obligations, payable solely from amounts pledged as security. Pledged recipient payments are the primary source of payment on the above bonds.

NYS Environmental Facilities Corporation
Schedule of Debt for Fiscal Year Ended March 31, 2023
Private Activity Bonds

Schedule 2

| Series | Borrower | Date of Issuance | Original Par | Outstanding 3/31/22 | Redeemed | Issued | Outstanding 3/31/23 | Maturity |
|---------|------------------|------------------|--------------|------------------------|----------|--------|------------------------|-----------|
| 2012 | Waste Management | 5/2012 | 25,000,000 | 25,000,000 | - | - | 25,000,000 | 5/1/2030 |
| 2014 | Casella Waste | 12/2014 | 25,000,000 | 25,000,000 | - | - | 25,000,000 | 12/1/2044 |
| 2014R-2 | Casella Waste | 6/2016 | 15,000,000 | 15,000,000 | - | - | 15,000,000 | 12/1/2044 |
| 2020R-1 | Casella Waste | 9/2020 | 40,000,000 | 40,000,000 | - | - | 40,000,000 | 9/1/2050 |
| | | | 105,000,000 | 105,000,000 | - | - | 105,000,000 | |

Note

The above bonds are special obligation revenue bonds payable solely from funds provided by the underlying borrower.

NYS Environmental Facilities Corporation
Detail of Costs of Issuance for Fiscal Year Ended March 31, 2023

Schedule 3

Series 2022A (NYCMWFA) - Closed 04/21/2022

| Description | Actual |
|---------------------|------------------|
| Bond Counsel | 130,000.00 |
| Financial Advisor | 135,000.00 |
| Printer | 1,055.72 |
| Verification Agent | 1,100.00 |
| Trustee and Counsel | 15,434.04 |
| S&P | 119,212.00 |
| Moody's | 38,026.11 |
| Fitch | 77,000.00 |
| | <hr/> 516,827.87 |

Series 2022B (2010 MFI) - Closed 12/06/2022

| Description | Actual |
|---------------------|------------------|
| Bond Counsel | 160,000.00 |
| Financial Advisor | 195,000.00 |
| Printer | 920.01 |
| Trustee and Counsel | 24,630.80 |
| S&P | 119,475.00 |
| Moody's | 155,000.00 |
| Fitch | 77,000.00 |
| | <hr/> 732,025.81 |



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President & CEO

Memorandum

June Audit Committee Meeting Information June 14, 2023

To: The Members of the Audit Committee
From: Maureen A. Coleman /s/

Attached please find the agenda and accompanying materials for the June meeting of the Audit Committee, which will take place in the Board Room of the Corporation's office and via videoconference on Thursday, June 22, 2023, at 11:15 a.m.

Should you have any questions regarding the attached information, please contact me at (518) 402-6924.

Thank you,

MAC/ksh

Cc: Nick Risley
Selby Haynes
Executive and Senior Staff
Presenters

Attachments



Environmental Facilities Corporation

Meeting of the Audit Committee

Thursday, June 22, 2023 | 11:15 a.m.

Agenda

1. Call to order by the Chair
2. Roll call and declaration of a quorum
3. Approval of the Draft Minutes from the April 5, 2023 Audit Committee Meeting
4. Review and Reassessment of the Audit Committee Charter
5. a. Presentation from the Independent Auditor, KPMG LLP

Audit Results for the Fiscal Year Ended March 31, 2023, including a review of the Financial Statements

b. Committee to meet privately with the Auditors

c. Committee vote on the Report of the Independent Auditor
6. Review of the Auditor's Lead Partner, consideration of rotation
7. Discussion on the Corporation's Internal Control/Audit Function
8. Adjournment

New York State Environmental Facilities Corporation

Meeting of the Audit Committee

Wednesday, April 5, 2023

Draft Minutes

A meeting of the Audit Committee was held on April 5, 2023, in the Board Room of the Corporation's office located at 625 Broadway, Albany, New York and via videoconference, in accordance with the Corporation's Bylaws and the Open Meetings Law, at 340 South Bedford Road, Bedford Corners, New York; 360 Erie Boulevard East, Syracuse, New York; and 234 New Salem South Road, Voorheesville, New York. A quorum was present as indicated:

Committee Members:

Charles Kruzansky, Chair (*via videoconference*)
Francis T. Corcoran (*via videoconference*)
Vita DeMarchi (*via videoconference*)

Absent:

Adam Zurofsky

Board Members:

The following member of the Board of Directors was also present at the meeting but did not vote on any matters requiring action by the Audit Committee.

Jeffrey Stefanko, Designee for the Commissioner of Environmental Conservation

EFC Staff:

Maureen A. Coleman, President and CEO
Michael P. Hale, Executive Vice President
Henrik Westin, General Counsel
Kate S. Howard, Secretary to the Corporation and Associate Counsel
William Brizzell, Director of Engineering
Brian McClintock, Director of Public Finance
Albert Schnide, Controller
Derek Sellman, Deputy General Counsel
Rebecca Walker, Senior Finance Manager
Bernadette Futia, Information Technology Coordinator III
Adnan Mirza, Systems Administrator

Other Attendees:

Jeffrey Koch, Engagement Managing Director | KPMG LLP
Jeffrey Mabb, Lead Audit Manager | KPMG LLP
Martin R. Dunbar, Partner | KPMG LLP

1. Call to order

Chair Kruzansky called the meeting to order at 11:00 a.m.

2. Roll call and declaration of a quorum

Roll was called and a quorum declared present.

3. Approval of the draft minutes from the December 8, 2022 Audit Committee meeting

Upon motion by Director Corcoran and seconded by Director DeMarchi, the minutes from the December 8, 2022 Audit Committee meeting were unanimously approved by the voting committee members. Chair Kruzansky abstained from the vote as he did not attend the December 8, 2022 meeting.

4. Presentation by KPMG LLP - Audit Plan for the Fiscal Year Ended March 31, 2023

Mr. Koch was introduced to the Committee. The rotation of the Corporation's lead partner is required every five years. Mr. Dunbar completed his five-year term as lead partner on March 31, 2023. Jeffrey Koch is now lead partner.

A copy of the audit plan and strategy for the year ended March 31, 2023 was provided to the members of the Committee and the Board of Directors for review on March 29, 2023. Mr. Koch and Mr. Mabb presented the audit plan which included, but was not limited to, the audit scope and deliverables, audit responsibilities, audit strategy, and audit timeline.

5. Adjournment

There being no further business, upon motion made by Chair Kruzansky and seconded by Director Corcoran, the meeting adjourned at 11:26 a.m.

BY:

Kate Siobhan Howard
SECRETARY TO THE CORPORATION

AUDIT COMMITTEE CHARTER

New York State Environmental Facilities Corporation

Purpose

The Audit Committee is appointed by the Board of Directors to assist the Board in monitoring: (1) the integrity of the financial statements of the Corporation and (2) the Corporation's independent auditor's qualifications and independence. The Audit Committee shall make recommendations concerning the management of all funds of the Corporation and its general accounting system. The Audit Committee shall recommend to the Board the hiring of certified independent accounting firm(s) for the Corporation, establish the compensation to be paid to the accounting firm and provide direct oversight of the performance of the independent audit performed by the accounting firm hired for such purposes.

Committee Membership

To the extent practicable, the Audit Committee shall consist of not less than three independent Board Members, who shall constitute a majority on the committee. An independent member is one who: (a) is not, and in the past two years has not been, employed by the Corporation in an executive capacity; (b) is not, and in the past two years has not been, employed by an entity that received remuneration valued at more than \$15,000 for goods and services provided to the Corporation or received any other form of financial assistance valued at more than \$15,000 from the Corporation; (c) is not a relative of an executive officer or employee in an executive position of the Corporation; and (d) is not, and in the past two years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or any other similar actions of the Corporation. In the event that a Board has less than three independent Board Members, the Board may appoint non-independent Board members to the Audit Committee, provided that the independent members must constitute a majority of the members of the Audit Committee. The Board, or the Chair subject to prior approval of the Board, shall appoint the members and Chairperson of the Audit Committee. Members of the Audit Committee shall be familiar with corporate financial and accounting practices. Each member of the Audit Committee shall serve until the next annual meeting of the Board of Directors and thereafter until his or her successor is appointed. Audit Committee members may be replaced by a majority vote of the Board of Directors.

Meetings

The Audit Committee shall meet as often as it determines, but not less frequently than annually. The Audit Committee shall meet at least annually together with the Corporation's senior management, the Controller to the Corporation and the Corporation's independent auditor. The Audit Committee shall meet annually in a separate meeting with the Corporation's independent auditor. The Audit Committee may request any officer or employee of the Corporation, or the Corporation's outside counsel or independent auditor, to attend a meeting of the Committee or to meet with any member(s) of, or consultant(s) to, the Committee.

An agenda shall be prepared and distributed to each Committee member prior to the scheduled meeting. The minutes of the meeting shall be prepared in accordance with the New York Open Meetings Law.

Committee Authority and Responsibilities

The Audit Committee shall be responsible for recommending to the Board of Directors the appointment of the independent auditor retained by the Corporation. The Audit Committee's recommendation should include the compensation terms of the independent auditor. In no event shall the independent auditor be permitted to provide non-audit services to the Corporation. The Audit Committee shall be responsible for the review of the work of the Corporation's independent auditor (including resolution of disagreements between senior management and such independent auditor regarding financial reporting) for the purpose of preparing or issuing an audit report or related work.

The Audit Committee shall periodically, but not less than annually, review with the President and the Corporation's Controller, all auditing services (including the fees and terms thereof) to be performed for the Corporation by the Corporation's independent auditor. The Audit Committee may form and delegate authority to any subcommittee(s) consisting of one or more members when appropriate, including the authority to grant preapprovals of audit services, provided that decisions of any such subcommittee(s) to grant preapprovals shall be presented to the full Audit Committee at its next scheduled meeting.

The Audit Committee shall have the authority, to the extent it deems necessary or appropriate, to retain independent legal, accounting or other advisors with notice to the Board of Directors. The Corporation shall provide for appropriate funding, as determined by the Audit Committee and approved by the Board, for payment of compensation to the independent auditor for the purpose of rendering or issuing an audit report and to any advisors employed by the Audit Committee.

The Audit Committee shall have the authority to oversee the Corporation's internal controls and compliance systems.

The Audit Committee shall make regular reports, not less frequently than annually, to the Board of Directors. The Audit Committee shall review and reassess the adequacy of this Charter from time to time and propose its recommended changes to the Board of Directors for approval. The Board of Directors shall annually review the Audit Committee's performance.

Financial Statements and Disclosure Matters

The Audit Committee, to the extent it deems necessary or appropriate, shall:

1. Review, discuss and approve, in consultation with senior management, the Controller and the Corporation's independent auditor, the annual audited financial statements, including disclosures made in senior management discussion and analysis section of such statements.

2. Review, discuss and approve, as appropriate, in consultation with senior management, the Corporation's Controller, and the Corporation's independent auditor, the Corporation's report(s) or quarterly financial statement(s), if any, including the results of the Corporation's independent auditor's review of such report(s) and quarterly financial statements.
3. Discuss with senior management, the Corporation's Controller and the Corporation's independent auditor, significant financial reporting issues and judgments made in connection with the preparation of the Corporation's financial statements, including any significant changes in the Corporation's selection or application of accounting principles, any major issues as to the adequacy of the Corporation's internal controls and special steps adopted in light of material control deficiencies.
4. Review reports from the Corporation's independent auditors, senior management or the Corporation's Controller, if any, on:
 - a) All critical accounting policies and practices to be used.
 - b) All alternative treatments of financial information within generally accepted accounting principles that have been discussed with senior management; the ramifications of the use of such alternative disclosures and treatments; and the treatment preferred by the Corporation's independent auditor.
 - c) Other material written communications between the Corporation's independent auditor and senior management such as any management letter or schedule of unadjusted differences.
 - d) Internal controls and the attestation of such reports by the Corporation's independent auditor.
5. Discuss with senior management the Corporation's major financial risk exposures and the steps senior management has taken to monitor and control such exposure, including the Corporation's risk assessment and risk management policies.

Oversight of the Corporation's Relationship with the Corporation's independent auditor

The Audit Committee, to the extent it deems necessary or appropriate, shall:

1. Review and evaluate the lead partner of the Corporation's independent auditor team.
2. Obtain and review a report from the Corporation's independent auditor at least annually regarding (a) the Corporation's independent auditor's internal quality-control procedures, (b) any material issues raised by the most recent internal quality-control review, or peer review, of the firm or by any inquiry or investigation by governmental or professional authorities within the preceding five years respecting one or more independent audits carried out by the firm, (c) any steps taken to deal with any such issues, and (d) all relationships between the Corporation's independent auditor and the Corporation. Evaluate the

qualifications, performance and independence of the Corporation's independent auditor, including considering whether the auditor's quality controls are adequate to maintain the auditor's independence, while taking into account the opinion of senior management.

3. Consider the rotation of the lead (or coordinating) audit partner having primary responsibility for the audit and the audit partner responsible for reviewing the audit. Consider whether it is appropriate to continue a policy of rotating the independent auditing firm on a regular basis.
4. Provide advice, as applicable, to the Board of Directors on policies for the Corporation's hiring of employees or former employees of the Corporation's independent auditor who participated in any capacity in the audit of the Corporation. In no event shall the Corporation's Chief Executive Officer or Chief Financial Officer have been employed by the Corporation's independent auditor during any two year period preceding an audit.
5. Discuss, as needed, with the national office of the Corporation's independent auditor issues on which they were consulted by the Corporation's audit team and matters of audit quality and consistency.

Oversight of the Corporation's Internal Audit Function

The Audit Committee, to the extent it deems necessary or appropriate, shall:

1. Review the significant reports to senior management prepared by the internal accounting department and senior management's responses.
2. Discuss with the Corporation's independent auditor, senior management, and the Corporation's Controller the responsibilities, budget and staffing as well as the need for an internal audit function.

Compliance Oversight Responsibilities

The Audit Committee, to the extent it deems necessary or appropriate, shall:

1. Obtain reports from senior management, the Corporation's Controller, the General Counsel and the Corporation's independent auditor that the Corporation is in conformity with applicable legal requirements.
2. Advise the Board of Directors with respect to advice received from the Corporation's independent auditor regarding the Corporation's policies and procedures regarding compliance with applicable laws and regulations.
3. Establish procedures for the confidential receipt, retention and investigation of complaints to be received by the Audit Committee regarding accounting, internal accounting controls or auditing matters, and the confidential, anonymous submission by employees of concerns regarding questionable or auditing matters. Procedures shall also be established for the referral of such matters to the State Inspector General.

4. Discuss with senior management and the Corporation's independent auditor any correspondence with regulators or governmental agencies and any published reports which raise material issues regarding the Corporation's financial statements or accounting policies.
5. Discuss with the Corporation's General Counsel any legal matters that may have a material impact on the financial statements or the Corporation's compliance policies.

Limitation of Audit Committee's Role

While the Audit Committee has the responsibilities and powers set forth in this Charter, it is not the duty of the Audit Committee to plan or conduct audits or to determine that the Corporation's financial statements and disclosures are complete and accurate and are in accordance with generally accepted accounting principles and applicable rules and regulations. These are the responsibilities of senior management and the Corporation's independent auditor.

The Board of Directors last reviewed and approved this Charter, effective June 23, 2022.



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President & CEO

Memorandum

Annual Board Meeting Information June 14, 2023

To: The Members of the Board of Directors
From: Maureen A. Coleman /s/

Attached please find the agenda and accompanying materials for the annual meeting of the Board of Directors, which will take place in the Board Room of the Corporation's office and via videoconference on Thursday, June 22, 2023, at 12:00 p.m.

Should you have any questions regarding the attached information, please contact me at (518) 402-6924.

Thank you,

MAC/ksh

Cc: Nick Risley
Selby Haynes
Executive and Senior Staff
Presenters

Attachments



Environmental Facilities Corporation

Annual Meeting of the Board of Directors

Thursday, June 22, 2023 | 12:00 p.m.

Agenda

1. Roll call and declaration of quorum
2. Approval of the Draft Minutes from the May 11, 2023 Board Meeting
3. Report of the Chair
4. President's Report
5. Committee Reports / Board Performance Review of Committees / Reappointment of Committee Memberships
6. Unfinished Business
7. Resolutions
 - I.D. No. 1 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION APPROVING THE APPOINTMENT OF A CHIEF FINANCIAL OFFICER OF THE CORPORATION
 - I.D. No. 2 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION WITH RESPECT TO THE REVIEW AND APPROVAL OF THE ANNUAL DEBT REPORT OF THE CORPORATION
 - I.D. No. 3 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION ACCEPTING THE FINANCIAL STATEMENTS OF THE CORPORATION FOR THE FISCAL YEAR ENDED MARCH 31, 2023
 - I.D. No. 4 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION WITH RESPECT TO THE ANNUAL REVIEW AND APPROVAL OF THE INVESTMENT GUIDELINES AND THE INVESTMENT REPORT OF THE CORPORATION
 - I.D. No. 5 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION WITH RESPECT TO THE ANNUAL REVIEW AND APPROVAL OF THE CORPORATION'S GUIDELINES FOR THE DISPOSITION OF PROPERTY

- I.D. No. 6 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AMENDING PRIOR AUTHORIZATIONS FOR FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO CERTAIN RECIPIENTS IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND
- I.D. No. 7 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE DRINKING WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS
- I.D. No. 8 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO THE SELECTED MUNICIPALITY TO FUND AN ELIGIBLE INTERMUNICIPAL WATER INFRASTRUCTURE PROJECT
- I.D. No. 9 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AMENDING PRIOR AUTHORIZATIONS FOR FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO CERTAIN RECIPIENTS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND
- I.D. No. 10 - A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE CLEAN WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS
- I.D. No. 11- A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING THE TRANSFER OF CERTAIN FUNDS TO ASSIST THE CITY OF MOUNT VERNON
- I.D. No. 12- A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AUTHORIZING THE PRESIDENT OF THE CORPORATION OR THE PRESIDENT'S DESIGNEE TO NEGOTIATE AND ENTER INTO A CONTRACT FOR FINANCIAL PRINTING SERVICES

8. New Business

9. Adjournment

New York State Environmental Facilities Corporation

Meeting of the Board of Directors

Thursday, May 11, 2023

Draft Minutes

A meeting of the Board of Directors was held on May 11 2023, in the Board Room of the Corporation's office located at 625 Broadway, Albany, New York and by videoconference, in accordance with the Corporation's Bylaws and the Open Meetings Law, at 340 South Bedford Road, Bedford Corners, New York; 99 Washington Avenue, Suite 1100, Albany, New York; and 169 Hudson Street, New York, New York. A quorum was present as indicated:

Ex Officio Members and their Designees:

Jeffrey Stefanko, Chair, Designee for the Commissioner of Environmental Conservation
Christine A. Westerman, Designee for the Commissioner of Health
James Leary, Designee for the Secretary of State (*via videoconference*)

Independent Members:

Francis T. Corcoran (*via videoconference*)
Vita DeMarchi
Charles Kruzansky
Adam Zurofsky (*via videoconference*)

EFC Staff:

Michael P. Hale, Executive Vice President
Henrik Westin, General Counsel
Kate S. Howard, Secretary to the Corporation and Associate Counsel
Brian McClintock, Director of Public Finance
Brian McEvoy, Director of Equity Finance
Maureen McGrath, Director of Administration & Corporate Operations
Albert Schnide, Controller
Derek Sellman, Deputy General Counsel
Kaitlin Penner, Deputy Director of Engineering
Bernadette Futia, Information Technology Coordinator III
Adnan Mirza, Systems Administrator
Kristina Lee, Program Coordinator

Other Attendees:

David Phillips, P.E., Chief, Design Section, Bureau of Water Supply and Protection, DOH
Ashley Inzerillo, Program Manager, Center for Environmental Health, DOH
Maureen A. Leddy, Director, Office of Climate Change, DEC

1. Roll call and declaration of quorum

The meeting was called to order by the Chair at 12:25 p.m. Roll call was taken and a quorum was declared present.

2. Approval of the April 5, 2023 Draft Board Meeting Minutes

Upon motion by Director Kruzansky and seconded by Director Corcoran, the minutes were unanimously approved.

3. Report of the Chair

The Chair introduced Maureen A. Leddy and advised that Ms. Leddy would be discussing Climate Change with the Board under new business.

4. President's Report

In President Coleman's absence, Executive Vice President Hale delivered the President's report.

- General Counsel Westin presented updates on the State Budget.
- Brian McClintock gave an update on the 2023 A refunding.
- Kate Howard reminded the members of the FDS filing deadline.

5. Committee Reports

The Governance Committee and Finance Committee both met on May 11, 2023 prior to the Board meeting.

Governance Committee Report

Director DeMarchi, the Chair of the Governance Committee provided a report to the Board on matters discussed at the meeting.

a. The Governance Committee approved the minutes from the June 13, 2022 meeting.

b. The Governance Committee conducted a review of the following:

i. By-Laws of the Corporation

The Governance Committee received and reviewed a copy of the Corporation's By-Laws. There were no proposed changes. It was the recommendation of the Governance Committee that the By-Laws be readopted. Upon motion by Director DeMarchi and seconded by Director Westerman, the Board voted unanimously to readopt the By-Laws.

ii. Governance Committee Charter

The Governance Committee reviewed the Governance Committee Charter. There were no proposed changes. It was the recommendation of the Governance Committee that the Charter be readopted. Upon motion by Director Westerman and seconded by Director Kruzansky, the Board voted unanimously to readopt the Governance Committee Charter

iii. Policies and Documents reviewed pursuant to the Committee's authority and responsibilities as specified in the Governance Committee Charter

1. Procurement Contract Guidelines

There were no proposed changes to the Corporation's Procurement Contract Guidelines. It was the recommendation of the Governance Committee that the guidelines be reapproved by the full Board upon presentation of I.D. No.1 on the May 11, 2023 Board meeting agenda.

2. Fundamental Policies and Procedures

- Updates were proposed to the Outside Activities Policy and Whistleblower Protection Policy.
- The Corporation's Equal Employment Opportunity Policy and Sexual Harassment in the Workplace Policy were both recommended for removal as they were rendered superfluous due to the mandatory statewide

policies and procedures governing the same subject matter.

3. Qualifications of Appointed Board Members

There were no proposed changes.

4. Compiled Reports of the Board Performance Evaluation

5. Defense and Indemnification Statute

There were no changes to the statute since it was last reviewed.

It was the recommendation of the Governance Committee that the aforementioned policies and documents be approved, with the recommended changes, by the Board. Upon motion by Director Leary and seconded by Director Zurofsky, the policies and other required documents developed in accordance with the Governance Committee's authority and responsibilities were unanimously approved.

iv. Mission Statement and Performance Measurements

There were no proposed changes to the Corporation's Mission Statement or Performance Goals.

It was the recommendation of the Governance Committee that the Board re-approve the Corporation's Performance Goals and re-adopt the Mission Statement.

Upon motion by Director Leary and seconded by Director Corcoran, the Mission Statement and the Performance Goals were unanimously approved by the Board

v. Performance Measurements Report for the period April 1, 2022 - March 31, 2023

Director DeMarchi highlighted several measurements from the report and briefly presented the new Program Metrics Report. No Board action was required for this item.

Finance Committee Report

Director Corcoran, the Chair of the Finance Committee, provided a report to the Board on matters discussed at the meeting.

a. The Finance Committee approved the minutes from the February 9, 2023 meeting.

b. The Finance Committee reviewed an authorization request for the issuance of New York State Environmental Facilities Corporation State Clean Water and Drinking Water Revolving Funds Revenue Bonds, Series 2023 B (New York City Municipal Water Finance Authority). It was the recommendation of the Finance Committee that the Bond Resolution for Series 2023 B, be approved by the full Board upon the presentation of I.D. No. 2 on the Board agenda.

6. Unfinished Business – There was no unfinished business discussed.

7. Resolutions

Resolution No. 2970

Following its introduction by the Secretary, Director DeMarchi moved for adoption of the resolution and the motion was seconded by Director Westerman. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION WITH RESPECT TO THE ANNUAL REVIEW AND APPROVAL OF THE PROCUREMENT CONTRACT GUIDELINES OF THE CORPORATION

Resolution No. 2971

Following its introduction by the Secretary, Director Corcoran moved for adoption of the resolution and the motion was seconded by Director Kruzansky. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$572,525,000 NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION STATE CLEAN WATER AND DRINKING WATER REVOLVING FUNDS REVENUE BONDS ON BEHALF OF THE NEW YORK CITY MUNICIPAL WATER FINANCE AUTHORITY

Resolution No. 2972

Following its introduction by the Secretary, Director Westerman moved for adoption of the resolution and the motion was seconded by Director Leary. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AMENDING THE PRIOR AUTHORIZATION FOR FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO A CERTAIN RECIPIENT IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND

Resolution No. 2973

Following its introduction by the Secretary, Director Corcoran moved for adoption of the resolution and the motion was seconded by Director DeMarchi. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE DRINKING WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS

Resolution No. 2974

Following its introduction by the Secretary, Director Leary moved for adoption of the resolution and the motion was seconded by Director Zurofsky. Discussion ensued and the following resolution was adopted unanimously and made part of the minutes:

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AMENDING PRIOR AUTHORIZATIONS FOR FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO CERTAIN RECIPIENTS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND

8. New Business

Ms. Leddy presented on climate change.

9. Adjournment

With no further business to discuss and upon a motion made by Director Kruzansky and seconded by Director DeMarchi, the meeting adjourned at 1:18 p.m.

BY:

Kate Siobhan Howard
SECRETARY TO THE CORPORATION

INFORMATION SUMMARY

Action

Approving the appointment of a Chief Financial Officer

Information

Pursuant to the Corporation's Bylaws all officers of the Corporation, with the exception of the President, shall be appointed by the President subject to approval by resolution of the Board of Directors.

**THIS RESOLUTION IS SUBJECT TO NYSEFC BOARD
AND / OR PACB APPROVAL AND IS BEING MADE
AVAILABLE PURSUANT TO THE OPEN MEETINGS LAW**

**I.D. No. 1
06/22/2023**

RESOLUTION NO. [2975]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION APPROVING THE APPOINTMENT OF A
CHIEF FINANCIAL OFFICER OF THE CORPORATION**

WHEREAS, the Bylaws of the Corporation provide that officers of the Corporation be appointed by the President of the Corporation, subject to approval by resolution of the Board of Directors; and

WHEREAS, the President appointed Emily A. Jamieson as Chief Financial Officer of the Corporation, effective June 22, 2023; and

WHEREAS, the Board of Directors reviewed Emily A. Jamieson's qualifications and desires to approve said appointment.

**NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE NEW
YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:**

Section 1. The Board hereby approves the President's appointment of Emily A. Jamieson as Chief Financial Officer of the Corporation, effective June 22, 2023.

Section 2. This Resolution shall take effect immediately upon its adoption.

INFORMATION SUMMARY

Action

Approval by the Board of Directors of the Annual Debt Report of the Corporation for all debt authorized by the Corporation for the fiscal year ended March 31, 2023.

Additional Information

Section 2800 of the Public Authorities Law requires the Corporation to include, as part of its annual report, a schedule of all debt issued during the reporting year.

RESOLUTION NO. [2976]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION WITH RESPECT TO THE REVIEW AND
APPROVAL OF THE ANNUAL DEBT REPORT OF THE CORPORATION**

WHEREAS, the Corporation is required by the provisions of Section 2800 of the Public Authorities Law to furnish to the appropriate commission or office, within ninety days after the end of its fiscal year, a detailed and complete annual report relative to the status and the activities of the Corporation, which report should also set forth a schedule of all debt issued during the reporting year (the "Annual Debt Report"); and

WHEREAS, pursuant to the reporting requirements of Section 2800 of the Public Authorities Law, the Annual Debt Report must include the date of issuance, term, amount, interest rate and means of repayment, all refinancings, calls, refundings, defeasements, and interest rate exchange or other such agreements, as well as a detailed list of costs of issuance for any debt issued during the reporting year; and

WHEREAS, the Finance Committee Charter provides that the Finance Committee develop, for approval by the Board of Directors (the "Board"), all reports as may be required to be submitted to any appropriate commission or office relating to debt issued by the Corporation; and

WHEREAS, the Annual Debt Report has been reviewed by the Finance Committee and reported on by the Finance Committee to the Board; and

WHEREAS, the Board desires to approve the Annual Debt Report for the fiscal year ended March 31, 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE NEW YORK
STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:**

Section 1. The Annual Debt Report for the fiscal year ended March 31, 2023, a copy of which is annexed hereto, is hereby approved for such fiscal year.

Section 2. This Resolution shall take effect immediately.

The Annual Debt Report for the fiscal year ended March 31, 2023



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

Annual Debt Report Fiscal Year Ended March 31, 2023

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| Schedule 2 | Schedule of Debt - Private Activity Bonds |
| Schedule 3 | Detail of Costs of Issuance |

NYS Environmental Facilities Corporation
Schedule of Debt for Fiscal Year Ended March 31, 2023
State Revolving Fund

Schedule 1

| Series | Date of Issuance | Original Par | Outstanding 3/31/22 | Redeemed | Issued | Outstanding 3/31/23 | Maturity | Interest Rates |
|--------|------------------|---------------|---------------------|-------------|-------------|---------------------|------------|----------------|
| 2004C | 4/7/2004 | 245,965,000 | 61,250,000 | 4,655,000 | | 56,595,000 | 6/15/2033 | 3.10%-5.25% |
| 2010B | 2/11/2010 | 196,460,000 | 167,985,000 | 5,915,000 | | 162,070,000 | 6/15/2039 | 4.005%-5.807% |
| 2011A | 3/17/2011 | 132,745,000 | 535,000 | 535,000 | | - | 8/15/2022 | 3.00%-5.00% |
| 2012A | 5/31/2012 | 496,145,000 | 180,305,000 | 180,305,000 | | - | 6/15/2029 | 2.00%-5.00% |
| 2012B | 6/21/2012 | 88,950,000 | 40,180,000 | 5,510,000 | | 34,670,000 | 2/15/2042 | 2.00%-5.00% |
| 2012C | 6/21/2012 | 14,440,000 | 5,525,000 | 1,220,000 | | 4,305,000 | 12/15/2029 | 0.504%-3.684% |
| 2012D | 7/12/2012 | 316,790,000 | 100,370,000 | 100,370,000 | | - | 6/15/2028 | 2.00%-5.00% |
| 2012E | 11/15/2012 | 98,640,000 | 59,665,000 | 4,380,000 | | 55,285,000 | 11/15/2042 | 1.00%-5.00% |
| 2012F | 11/15/2012 | 33,465,000 | 5,335,000 | 2,525,000 | | 2,810,000 | 11/15/2024 | 0.25%-2.806% |
| 2013A | 7/11/2013 | 401,090,000 | 256,770,000 | 20,680,000 | | 236,090,000 | 6/15/2033 | 3.00%-5.00% |
| 2013B | 8/1/2013 | 166,585,000 | 108,840,000 | 8,565,000 | | 100,275,000 | 5/15/2043 | 2.00%-5.00% |
| 2014A | 3/27/2014 | 347,385,000 | 241,630,000 | 17,855,000 | | 223,775,000 | 6/15/2034 | 2.00%-5.00% |
| 2014B | 7/2/2014 | 213,635,000 | 149,850,000 | 8,955,000 | | 140,895,000 | 5/15/2044 | 1.00%-5.00% |
| 2015A | 7/2/2015 | 219,770,000 | 173,465,000 | 8,255,000 | | 165,210,000 | 6/15/2045 | 2.00%-5.00% |
| 2015B | 8/20/2015 | 80,520,000 | 66,040,000 | 2,330,000 | | 63,710,000 | 3/15/2045 | 2.00%-5.00% |
| 2015C | 8/20/2015 | 31,370,000 | 18,020,000 | 2,065,000 | | 15,955,000 | 7/15/2030 | .50%-3.82% |
| 2015D | 8/20/2015 | 367,455,000 | 233,530,000 | 21,415,000 | | 212,115,000 | 3/15/2037 | 2.00%-5.00% |
| 2016A | 6/29/2016 | 500,955,000 | 433,385,000 | 16,265,000 | | 417,120,000 | 6/15/2046 | 2.00%-5.00% |
| 2016B | 9/22/2016 | 104,415,000 | 90,595,000 | 2,730,000 | | 87,865,000 | 8/15/2046 | 1.00%-5.00% |
| 2016C | 9/22/2016 | 29,260,000 | 20,605,000 | 1,740,000 | | 18,865,000 | 7/15/2039 | .75%-3.113% |
| 2017A | 4/13/2017 | 588,745,000 | 483,800,000 | 20,090,000 | | 463,710,000 | 6/15/2046 | 2.00%-5.00% |
| 2017B | 4/13/2017 | 336,335,000 | 268,770,000 | 19,075,000 | | 249,695,000 | 6/15/2036 | 1.271%-3.916% |
| 2017C | 11/9/2017 | 91,580,000 | 79,835,000 | 2,685,000 | | 77,150,000 | 6/15/2047 | 2.00%-5.00% |
| 2017D | 11/9/2017 | 66,445,000 | 52,140,000 | 3,675,000 | | 48,465,000 | 1/15/2047 | 1.50%-3.751% |
| 2017E | 12/14/2017 | 337,955,000 | 317,950,000 | 6,275,000 | | 311,675,000 | 6/15/2047 | 3.00%-5.00% |
| 2018A | 8/2/2018 | 319,715,000 | 241,315,000 | 11,980,000 | | 229,335,000 | 6/15/2037 | 3.00%-5.00% |
| 2018B | 11/29/2018 | 258,340,000 | 247,825,000 | 4,420,000 | | 243,405,000 | 6/15/2048 | 3.00%-5.00% |
| 2019A | 6/13/2019 | 120,700,000 | 112,330,000 | 2,765,000 | | 109,565,000 | 2/15/2049 | 3.00%-5.00% |
| 2019B | 10/8/2019 | 339,475,000 | 327,220,000 | 11,160,000 | | 316,060,000 | 6/15/2049 | 3.00%-5.00% |
| 2020A | 4/8/2020 | 171,385,000 | 165,545,000 | 7,625,000 | | 157,920,000 | 6/15/2049 | 4.00%-5.00% |
| 2020B | 12/17/2020 | 123,110,000 | 118,580,000 | 3,900,000 | | 114,680,000 | 10/15/2050 | 3.00%-5.00% |
| 2021A | 6/30/2021 | 284,745,000 | 284,745,000 | 17,130,000 | | 267,615,000 | 6/15/2041 | 3.00%-5.00% |
| 2021B | 12/9/2021 | 144,540,000 | 143,365,000 | 7,220,000 | | 136,145,000 | 8/15/2050 | 4.00%-5.00% |
| 2022A | 4/21/2022 | 413,005,000 | | - | 413,005,000 | 413,005,000 | 6/15/2051 | 4.00%-5.00% |
| 2022B | 12/6/2022 | 326,775,000 | | 1,410,000 | 326,775,000 | 325,365,000 | 9/15/2052 | 5.00%-5.25% |
| | | 8,008,890,000 | 5,257,300,000 | 535,680,000 | 739,780,000 | 5,461,400,000 | | |

Note

The above bonds are special limited obligations, payable solely from amounts pledged as security. Pledged recipient payments are the primary source of payment on the above bonds.

NYS Environmental Facilities Corporation
Schedule of Debt for Fiscal Year Ended March 31, 2023
Private Activity Bonds

Schedule 2

| Series | Borrower | Date of Issuance | Original Par | Outstanding 3/31/22 | Redeemed | Issued | Outstanding 3/31/23 | Maturity |
|---------|------------------|------------------|--------------|------------------------|----------|--------|------------------------|-----------|
| 2012 | Waste Management | 5/2012 | 25,000,000 | 25,000,000 | - | - | 25,000,000 | 5/1/2030 |
| 2014 | Casella Waste | 12/2014 | 25,000,000 | 25,000,000 | - | - | 25,000,000 | 12/1/2044 |
| 2014R-2 | Casella Waste | 6/2016 | 15,000,000 | 15,000,000 | - | - | 15,000,000 | 12/1/2044 |
| 2020R-1 | Casella Waste | 9/2020 | 40,000,000 | 40,000,000 | - | - | 40,000,000 | 9/1/2050 |
| | | | 105,000,000 | 105,000,000 | - | - | 105,000,000 | |

Note

The above bonds are special obligation revenue bonds payable solely from funds provided by the underlying borrower.

NYS Environmental Facilities Corporation
Detail of Costs of Issuance for Fiscal Year Ended March 31, 2023

Schedule 3

Series 2022A (NYCMWFA) - Closed 04/21/2022

| Description | Actual |
|---------------------|------------------|
| Bond Counsel | 130,000.00 |
| Financial Advisor | 135,000.00 |
| Printer | 1,055.72 |
| Verification Agent | 1,100.00 |
| Trustee and Counsel | 15,434.04 |
| S&P | 119,212.00 |
| Moody's | 38,026.11 |
| Fitch | 77,000.00 |
| | <hr/> 516,827.87 |

Series 2022B (2010 MFI) - Closed 12/06/2022

| Description | Actual |
|---------------------|------------------|
| Bond Counsel | 160,000.00 |
| Financial Advisor | 195,000.00 |
| Printer | 920.01 |
| Trustee and Counsel | 24,630.80 |
| S&P | 119,475.00 |
| Moody's | 155,000.00 |
| Fitch | 77,000.00 |
| | <hr/> 732,025.81 |

INFORMATION SUMMARY

Action

To accept the financial statements of the Corporation for the fiscal year ended March 31, 2023.

Additional Information

The Report of Independent Auditor was prepared by the Corporation's independent auditor, KPMG LLP and was discussed with the Audit Committee on June 22, 2023.

RESOLUTION NO. [2977]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION ACCEPTING THE FINANCIAL STATEMENTS
OF THE CORPORATION FOR THE FISCAL YEAR ENDED MARCH 31,
2023**

WHEREAS, KPMG LLP, the Corporation's Independent Auditors, has prepared and submitted its Report of Independent Auditors dated June 22, 2023, which is contained in the financial statements of the Corporation for the fiscal year ended March 31, 2023; and

WHEREAS, pursuant to the Corporation's By-Laws, the financial statements have been filed with the Audit Committee and reported on by the Audit Committee to the Board of Directors (the "Board").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

Section 1. The financial statements for the fiscal year ended March 31, 2023, presented to the Audit Committee substantially in the form attached hereto, are hereby accepted by the Board as the financial statements of the Corporation for such fiscal year.

Section 2. The Officers of the Corporation are each hereby authorized, in the name and on behalf of the Corporation, to place copies of such financial statements in the corporate records of the Corporation, to submit copies of the financial statements to such governmental or other entities as may be required by law or as they may deem necessary or desirable, and to take such other actions as they may determine to be necessary and in the best interests of the Corporation.

Section 3. This Resolution shall take effect immediately.

Financial statements for the fiscal year ended March 31, 2023

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Basic Financial Statements

March 31, 2023

(With Independent Auditors' Report Thereon)

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Basic Financial Statements

March 31, 2023

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Independent Auditors' Report

The Board of Directors
New York State Environmental Facilities Corporation:

Report on the Audit of the Financial Statements

Opinion

We have audited the financial statements of the New York State Environmental Facilities Corporation (the Corporation), a component unit of the State of New York, as of and for the year ended March 31, 2023, and the related notes to the financial statements, which collectively comprise the Corporation's basic financial statements for the year then ended as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the financial position of the Corporation as of March 31, 2023, and the changes in its financial position and its cash flows for the year then ended in accordance with U.S. generally accepted accounting principles.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Corporation and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with U.S. generally accepted accounting principles, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Corporation's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Corporation's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Required Supplementary Information

U.S. generally accepted accounting principles require that the management's discussion and analysis and the required supplementary information as listed in the table of contents be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit were conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Corporation's basic financial statements. The combining schedule of net position, the combining schedule of revenues, expenses, and changes in net position, and the combining schedule of cash flows are presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining schedule of net position, the combining schedule of revenues, expenses, and changes in net position, and the combining schedule of cash flows is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated _____, ____ on our consideration of the Corporation's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Corporation's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Corporation's internal control over financial reporting and compliance.

[(signed) KPMG LLP]

Albany, New York

Date

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Management's Discussion and Analysis (unaudited)

March 31, 2023

Introduction

The New York State Environmental Facilities Corporation (EFC or the Corporation) is a Public Benefit Corporation whose mission is to assist communities throughout New York State to undertake critical water quality infrastructure projects by providing access to low cost capital, grants, and expert technical assistance. A primary goal is to ensure that these projects remain affordable while safeguarding essential water resources. We support this mission by consistently using an innovative approach to developing and advancing new financing strategies to maximize the funding that can be made available to our clients, aiding compliance with Federal and State requirements, and promoting green infrastructure practices.

EFC's primary activities are within its State Revolving Fund programs (SRFs).

EFC's basic financial statements are prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America as promulgated by the Governmental Accounting Standards Board.

Corporate Activities

EFC's corporate activities include the Industrial Finance Program (IFP), which provides tax-exempt and taxable conduit financings to private entities for a variety of environmental purposes.

State Revolving Fund Programs

EFC's two major programs are the Clean Water and Drinking Water State Revolving Funds (CWSRF/DWSRF). These two programs account for substantially all of the total assets and the increase in net position of EFC. These programs provide financial support to communities throughout the State to undertake projects that prevent water pollution and provide safe drinking water.

Clean Water State Revolving Fund Program

The CWSRF program provides low-interest rate financing terms and in certain cases offers loan guarantees, principal forgiveness and grants to eligible recipient entities for projects that reduce, eliminate or prevent water pollution. The program is administered jointly by EFC and the New York State Department of Environmental Conservation (DEC). As the financings are repaid, the money becomes available to finance new projects and the funds continue to revolve. The CWSRF provides up to a 50% interest rate subsidy, which saves communities money on interest costs.

Examples of eligible CWSRF projects include construction of new wastewater treatment plants, upgrades to existing plants, sewer line extensions and storm water management projects.

Drinking Water State Revolving Fund Program

The DWSRF program provides low-interest rate financing terms and in certain cases offers principal forgiveness, as well as hardship grants for publicly and privately owned community water system projects that provide safe, affordable drinking water. The program is administered jointly by EFC and the New York State Department of Health (DOH). Like the CWSRF, as the financings are repaid, the money becomes available to finance new projects. The DWSRF provides up to a 33⅓% interest rate subsidy, which saves communities money on interest costs.

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Examples of eligible DWSRF projects include upgrades to treatment facilities to ensure compliance with Federal and State drinking water standards, installation or replacement of storage facilities to prevent contamination or provide adequate delivery pressure, and installation or replacement of transmission and distribution mains to prevent contamination.

Water Infrastructure Improvement Acts/Clean Water Infrastructure Act of 2017

The New York State Water Infrastructure Improvement Acts of 2015 and 2017 (WIIA) provided significant state resources to fund critical drinking water and wastewater infrastructure projects. Under WIIA, EFC provides grants to assist municipalities in funding water quality infrastructure. WIIA grants are available for both drinking water and sewage treatment works (clean water) projects that protect or improve water quality and/or public health.

The Clean Water Infrastructure Act of 2017 (CWIA) invests additional state resources to fund drinking water and clean water infrastructure projects as well as water quality protection across New York State. CWIA continues the investment of WIIA and funds new programs that will also protect or improve water quality and/or public health.

Many of the projects that are supported with WIIA/CWIA will also receive CWSRF or DWSRF funding.

Financial Highlights – 2023

- Total assets and deferred outflows of resources increased by \$617.8 million or 4.7% from \$13.0 billion to \$13.7 billion.
- Net position increased by \$364.7 million from \$7.3 billion to \$7.7 billion
- Investment income increased by \$24.6 million or 193.1% from \$12.7 million to \$37.3 million.
- Project grant revenues increased by \$129.8 million from \$296.2 million to \$426.0 million.
- Grants disbursed increased by \$33.5 million from \$35.1 million to \$68.6 million.
- The Corporation issued two series of SRF bonds in an aggregate principal amount of \$739.8 million.

SRF Program Activity

A summary of the SRFs' bond issuances that occurred is as follows:

| 2023 | | | | |
|---------------|---------------|-----------------------|--------------------|--------------------|
| Series | Closed | CWSRF | DWSRF | Total |
| 2022A | 4/21/2022 | \$ 325,685,000 | 87,320,000 | 413,005,000 |
| 2022B | 12/6/2022 | 241,065,000 | 85,710,000 | 326,775,000 |
| | | <u>\$ 566,750,000</u> | <u>173,030,000</u> | <u>739,780,000</u> |

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| 2022 | | | | |
|---------------|---------------|-----------------------|--------------------|--------------------|
| Series | Closed | CWSRF | DWSRF | Total |
| 2021A | 6/30/2021 | \$ 205,725,000 | 79,020,000 | 284,745,000 |
| 2021B | 12/9/2021 | 81,035,000 | 63,505,000 | 144,540,000 |
| | | <u>\$ 286,760,000</u> | <u>142,525,000</u> | <u>429,285,000</u> |

The preceding charts reflect the amount of SRF bonds at their original par value. SRF bonds are typically sold at a premium or discount and the proceeds of those bonds are provided to recipients. SRF bonds are rated AA or better by Standard and Poor's, Moody's Investors Service and Fitch, Inc.

A summary of the SRFs' financings that occurred is as follows:

| 2023 | | | |
|------------------------------|-------------------------|--------------------|----------------------|
| | CWSRF | DWSRF | Total |
| Leveraged financings | \$ 841,900,688 | 218,304,609 | 1,060,205,297 |
| Long-term direct financings | 592,115,636 | 85,436,138 | 677,551,774 |
| Short-term direct financings | 1,143,832,446 | 166,572,080 | 1,310,404,526 |
| Grants | 18,237,236 | 15,567,597 | 33,804,833 |
| | <u>\$ 2,596,086,006</u> | <u>485,880,424</u> | <u>3,081,966,430</u> |

| 2022 | | | |
|------------------------------|-----------------------|--------------------|----------------------|
| | CWSRF | DWSRF | Total |
| Leveraged financings | \$ 378,757,489 | 176,930,763 | 555,688,252 |
| Long-term direct financings | 201,020,656 | 35,456,801 | 236,477,457 |
| Short-term direct financings | 406,780,097 | 122,069,389 | 528,849,486 |
| Grants | 10,186,959 | 5,901,182 | 16,088,141 |
| | <u>\$ 996,745,201</u> | <u>340,358,135</u> | <u>1,337,103,336</u> |

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A summary of the WIIA/CWIA financings that occurred is as follows:

| | 2023 | | |
|------------------|----------------------|--------------------|--------------------|
| | CW | DW | Total |
| Grants | \$ 47,718,747 | 139,107,219 | 186,825,966 |
| Short-term loans | — | 3,400,000 | 3,400,000 |
| | <u>\$ 47,718,747</u> | <u>142,507,219</u> | <u>190,225,966</u> |

| | 2022 | | |
|------------------|-----------------------|--------------------|--------------------|
| | CW | DW | Total |
| Grants | \$ 156,082,290 | 231,302,753 | 387,385,043 |
| Short-term loans | — | — | — |
| | <u>\$ 156,082,290</u> | <u>231,302,753</u> | <u>387,385,043</u> |

Summary Schedule of Net Position

A summary of the Corporation's net position is as follows:

| | 2023 | 2022 |
|--|--------------------------|-----------------------|
| Assets and Deferred Outflows of Resources | | |
| Current assets | \$ 1,512,681,713 | 1,382,307,856 |
| Noncurrent assets | <u>12,141,718,249</u> | <u>11,650,901,275</u> |
| Total assets | 13,654,399,962 | 13,033,209,131 |
| Deferred outflows of resources | <u>11,114,346</u> | <u>14,485,107</u> |
| Total assets and deferred outflows of resources | <u>\$ 13,665,514,308</u> | <u>13,047,694,238</u> |

**NEW YORK STATE
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(A Component Unit of the State of New York)

Management's Discussion and Analysis (unaudited)

March 31, 2023

| | <u>2023</u> | <u>2022</u> |
|---|--------------------------|-----------------------|
| Liabilities, Deferred Inflows of Resources, and Net Position | | |
| Current liabilities | \$ 595,144,337 | 540,790,860 |
| Noncurrent liabilities | <u>5,330,186,714</u> | <u>5,140,067,601</u> |
| Total liabilities | 5,925,331,051 | 5,680,858,461 |
| Deferred inflows of resources | <u>26,391,844</u> | <u>17,696,759</u> |
| Total liabilities and deferred inflows of resources | <u>5,951,722,895</u> | <u>5,698,555,220</u> |
| Net position restricted | 7,703,922,586 | 7,340,704,969 |
| Net position unrestricted | <u>9,868,827</u> | <u>8,434,049</u> |
| Total net position | <u>7,713,791,413</u> | <u>7,349,139,018</u> |
| Total liabilities, deferred inflows of resources and net position | <u>\$ 13,665,514,308</u> | <u>13,047,694,238</u> |

Summary Schedule of Revenues, Expenses and Changes in Net Position

A summary of the Corporation's revenues, expenses and changes in net position is as follows:

| | March 31 | |
|--|-------------------------|----------------------|
| | <u>2023</u> | <u>2022</u> |
| Total operating revenues | \$ 271,574,282 | 317,739,006 |
| Total operating expenses | <u>301,503,809</u> | <u>359,145,722</u> |
| Operating loss | (29,929,527) | (41,406,716) |
| Nonoperating revenues | 628,689,048 | 476,922,431 |
| Nonoperating expenses | <u>234,107,126</u> | <u>203,025,285</u> |
| Increase in net position | 364,652,395 | 232,490,430 |
| Beginning net position | 7,349,139,018 | 7,116,648,588 |
| Cumulative effect of change in accounting principles | <u>—</u> | <u>—</u> |
| Ending net position | <u>\$ 7,713,791,413</u> | <u>7,349,139,018</u> |

Statement of Net Position Analysis – 2023

The Corporation's total assets and deferred outflows of resources increased \$617.8 million from \$13.0 billion as of March 31, 2022 to \$13.7 billion as of March 31, 2023. The increase in assets and deferred outflows of resources of \$617.8 million was the net result of several factors, which include a increase in cash and cash

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March 31, 2023

equivalents of \$327.0 million, a decrease in short-term financings receivable of \$661.5 million, an increase in direct financings receivable of \$407.8 million, an increase in bonds receivable of \$452.4 million, as well as an increase in investments of \$83.2 million.

The Corporation's total liabilities and deferred inflows of resources increased \$253.2 million from \$5.7 billion as of March 31, 2022 to \$6.0 billion as of March 31, 2023. The increase in liabilities and deferred inflows of resources of \$253.2 million was primarily the net result of several factors, which include an increase in bonds payable of \$209.4 million, an increase in accounts payable and accrued expenses of \$4.0 million, a decrease in OPEB liability of \$11.1 million, an increase in deferred inflows of resources related to pensions and OPEB of \$8.7 million, as well as an increase in other liabilities of \$45.5 million.

The Corporation's total net position increased \$364.7 million from \$7.3 billion to \$7.7 billion.

Changes in Net Position Analysis – 2023

During the year ended March 31, 2023, the Corporation recorded an operating loss of \$30.0 million as compared to an operating loss of \$41.4 million during the year ended March 31, 2022. The decrease in operating loss of \$11.4 million was primarily the net result of a \$57.5 million decrease in operating expenses offset with a \$46.2 million decrease in operating revenue. Operating expenses decreased primarily due to a decrease in interest expense on bonds payable of \$17.9 million, and a decrease in interest subsidy provided of \$39.0 million. Operating revenue decreased primarily due to a decrease in interest income on bonds and direct financings of \$43.2 million, an increase in bond financing and administrative fees of \$3.3 million, as well as a decrease in administrative grant revenues of \$6.0 million. During the fiscal year, \$30.8 million of the decrease in interest income on bonds receivable was due to decreased offsets associated with interest subsidies provided by the Corporation from below market rate financings. A resulting decrease in subsidy expense is reflected in these results. \$13.0 million of the decrease to bond interest income and expense was due to a reduction in offsets to bond premium.

The Corporation recorded project grant revenues in its statement of revenues, expenses, and changes in net position of \$426.0 million during the year ended March 31, 2023 as compared to \$296.2 million for the year ended March 31, 2022. The increase in project grant revenues of \$129.8 million is due to an increase in the amount of funds that the Corporation drew from the CWSRF and DWSRF capitalization grants year over year. Also included in nonoperating revenues and expenses was an increase in investment income of \$24.5 million and an increase in grants disbursed of \$33.5 million. Contributing to the decrease in investment income was an unrealized loss in the change in fair value on our long-term investment portfolio of \$49.7 million for the year ended March 31, 2023 as compared to an unrealized loss of \$41.0 million for the year ended March 31, 2022.

Overall, the Corporation recorded an increase in net position of \$364.7 million for the year ended March 31, 2023 as compared to \$232.5 million for the year ended March 31, 2022. The increase in the change in net position of \$364.7 million year over year is primarily the result of increased project grant revenues from the federal capitalization grant awards in the year ending March 31, 2023, as detailed in the preceding paragraphs.

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March 31, 2023

Liquidity

For fiscal year 2023-24, the Corporation expects to recover its operating costs through fees charged to clients for various services as well as through the use of the administrative portion of the CWSRF and DWSRF capitalization grants.

SRF fees are assessed and collected to cover SRF program administration costs. Fees collected and not expended against current administration costs are held in permitted investments for future use.

The Corporation issues special obligation bonds under the Clean Water and Drinking Water State Revolving Funds to provide financial assistance to eligible recipients for water pollution and drinking water projects (as outlined in each program's respective Intended Use Plan). The financial assistance is provided pursuant to a financing agreement between EFC and each recipient in which the Corporation agrees to purchase and the recipient agrees to sell its bonds in the principal amount of its financing to EFC. Payment on these bonds will serve as the primary security for EFC's bonds.

Contacting the New York State Environmental Facilities Corporation

This financial report is designed to provide interested parties with a general overview of the Corporation's finances and to demonstrate its accountability for funds received and expended. If you have questions about this report or would like additional information regarding EFC's programs, please visit the Corporation's website at www.efc.ny.gov.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Statement of Net Position

March 31, 2023

Assets and Deferred Outflows of Resources

Current assets:

| | |
|--|---------------|
| Cash and cash equivalents | \$ 25,556,210 |
| Contractual services and fees receivable | 1,921,991 |

Restricted assets:

| | |
|--|-------------|
| Cash and cash equivalents | 608,864,427 |
| Interest receivable on bonds and direct financings | 75,556,570 |
| Interest receivable on cash and cash equivalents and investments | 20,828,086 |
| Annual fees receivable | 13,789,396 |
| Prepaid expense | 885,000 |
| Short-term financings receivable, net | 233,739,272 |
| Direct financings receivable | 131,225,119 |
| Bonds receivable | 400,052,733 |
| Other restricted funds | 262,909 |

| | |
|----------------------|---------------|
| Total current assets | 1,512,681,713 |
|----------------------|---------------|

Noncurrent assets:

Restricted assets:

| | |
|---------------------------------------|---------------|
| Investments | 2,053,386,416 |
| Short-term financings receivable, net | 467,071,928 |
| Direct financings receivable | 3,315,705,264 |
| Bonds receivable | 6,305,554,641 |

| | |
|-------------------------|----------------|
| Total noncurrent assets | 12,141,718,249 |
|-------------------------|----------------|

| | |
|--------------|----------------|
| Total assets | 13,654,399,962 |
|--------------|----------------|

Deferred outflows of resources related to pensions and OPEB

11,114,346

| | |
|---|-------------------|
| Total assets and deferred outflows of resources | \$ 13,665,514,308 |
|---|-------------------|

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Statement of Net Position

March 31, 2023

Liabilities, Deferred Inflows of Resources and Net Position

Current liabilities:

| | |
|---------------------------------------|---------------|
| Accrued interest on bonds | \$ 66,927,717 |
| Accrued interest subsidy | 26,515,426 |
| Bonds payable | 325,965,000 |
| Other restricted funds | 262,909 |
| Accounts payable and accrued expenses | 26,534,968 |
| Debt service funds payable | 5,132,275 |
| Other liabilities | 142,747,271 |
| Other post-employment benefits | 1,058,771 |
| Total current liabilities | 595,144,337 |

Noncurrent liabilities:

| | |
|--------------------------------|---------------|
| Bonds payable | 5,292,599,500 |
| Other post-employment benefits | 37,587,214 |
| Total noncurrent liabilities | 5,330,186,714 |

| | |
|-------------------|---------------|
| Total liabilities | 5,925,331,051 |
|-------------------|---------------|

Deferred inflows of resources related to pensions and OPEB

26,391,844

| | |
|---|---------------|
| Total liabilities and deferred inflows of resources | 5,951,722,895 |
|---|---------------|

Net position:

| | |
|---|------------------|
| Restricted for revolving loan fund programs | 7,703,922,586 |
| Unrestricted | 9,868,827 |
| Total net position | \$ 7,713,791,413 |

See accompanying notes to basic financial statements.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Statement of Revenues, Expenses, and Changes in Net Position

Year ended March 31, 2023

| | |
|---|--------------------------------|
| Operating revenues: | |
| Interest income on bonds and direct financings receivable | \$ 246,869,273 |
| Bond financing and administrative fees | 18,328,476 |
| Administrative grant revenues | 6,354,373 |
| Contract service fees | 12,235 |
| Other revenues | 9,925 |
| | <u>271,574,282</u> |
| Total operating revenues | <u>271,574,282</u> |
| Operating expenses: | |
| Interest expense on bonds payable | 231,071,329 |
| Interest subsidy provided | 55,970,325 |
| Administrative costs | 14,462,155 |
| | <u>301,503,809</u> |
| Total operating expenses | <u>301,503,809</u> |
| Operating loss | <u>(29,929,527)</u> |
| Nonoperating revenues: | |
| Project grant revenues | 425,998,071 |
| Investment income | 37,270,221 |
| State assistance payments revenue | 165,420,756 |
| | <u>628,689,048</u> |
| Total nonoperating revenues | <u>628,689,048</u> |
| Nonoperating expenses: | |
| Grants disbursed | 68,686,370 |
| State assistance payments expense | 165,420,756 |
| | <u>234,107,126</u> |
| Total nonoperating expenses | <u>234,107,126</u> |
| Increase in net position | 364,652,395 |
| Beginning net position | <u>7,349,139,018</u> |
| Ending net position | <u><u>\$ 7,713,791,413</u></u> |

See accompanying notes to basic financial statements.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Statement of Cash Flows

Year ended March 31, 2023

| | |
|--|-----------------|
| Cash flows from operating activities: | |
| Bond financing fees and administrative grant revenue | \$ 22,510,998 |
| Personal services expense | (9,427,820) |
| Fringe benefits expense | (2,584,434) |
| Other administrative expenses | (9,561,866) |
| Other, net | 57,566,314 |
| | <hr/> |
| Net cash provided by operating activities | 58,503,192 |
| | <hr/> |
| Cash flows from noncapital financing activities: | |
| Proceeds from bonds issued | 739,780,000 |
| Principal payments on bonds payable | (530,358,954) |
| Interest paid on bonds payable | (231,367,642) |
| Grants disbursed | (68,686,370) |
| Contributions received from the U.S. Environmental Protection Agency | 368,870,846 |
| Contributions received from New York State | 57,127,225 |
| | <hr/> |
| Net cash provided by noncapital financing activities | 335,365,105 |
| | <hr/> |
| Cash flows from investing activities: | |
| Net proceeds from maturities of investments | (83,184,005) |
| Interest income on investments | 30,845,578 |
| Bonds purchased | (1,060,205,297) |
| Bonds repayments received | 607,830,659 |
| Short-term financing disbursements | (977,452,499) |
| Short-term financing repayments received | 1,638,977,390 |
| Direct financings issued | (677,551,774) |
| Direct financing repayments received | 269,786,334 |
| Interest income on bonds and direct financings receivable | 241,911,361 |
| Interest subsidy provided | (56,864,381) |
| Debt service funds received | 2,154,340 |
| Debt service funds paid | (2,246,929) |
| | <hr/> |
| Net cash used in investing activities | (65,999,223) |
| | <hr/> |
| Net increase in cash and cash equivalents | 327,869,074 |
| Cash and cash equivalents, beginning of year | 306,551,563 |
| | <hr/> |
| Cash and cash equivalents, end of year | \$ 634,420,637 |
| | <hr/> |

**NEW YORK STATE
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(A Component Unit of the State of New York)

Statement of Cash Flows

Year ended March 31, 2023

Reconciliation of operating loss to net cash provided by operating activities:

| | |
|---|-----------------------------|
| Operating loss | \$ (29,929,527) |
| Adjustments to reconcile operating loss to net cash provided by operating activities: | |
| Interest income on bonds and direct financings receivable | (246,869,273) |
| Interest expense | 231,071,329 |
| Interest subsidy provided | 55,970,325 |
| Changes in assets and liabilities that provide (use) cash: | |
| Contractual services and fees receivable | (1,877,862) |
| Annual fees receivable | (306,224) |
| Accounts payable and accrued expenses | 3,988,173 |
| Other liabilities | 57,556,385 |
| Other post-employment benefits | (11,100,134) |
| Net cash provided by operating activities | \$ <u><u>58,503,192</u></u> |

See accompanying notes to basic financial statements.

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Notes to Basic Financial Statements

March 31, 2023

(1) General

(a) Organization

The New York State Environmental Facilities Corporation (EFC or the Corporation) is a public benefit corporation formed pursuant to the New York State Environmental Facilities Corporation Act (Chapter 744 of the Laws of New York State of 1970, as amended). EFC is a component unit of New York State (State) and is exempt from Federal, State, and local income taxes. EFC is included in the State's basic financial statements. The Corporation is governed by a board of directors consisting of seven members, three of whom are required to be certain State officials – the Commissioner of Environmental Conservation (who is also designated as the chair), the Commissioner of Health and the Secretary of State. The four remaining directors are appointed by the Governor and confirmed by the State Senate.

(b) Description of Business

EFC provides low-cost capital and expert technical assistance to municipalities, businesses and State agencies for environmental projects in New York State. These activities include the administration of the Clean Water State Revolving Fund (CWSRF) program and the Drinking Water State Revolving Fund (DWSRF) programs, administering State Grant programs, assisting businesses finance environmental projects through the Industrial Finance Program (IFP); and helping municipalities, State agencies and businesses comply with environmental laws and regulations through various programs administered by EFC.

The CWSRF and the DWSRF are the Corporation's largest programs. The CWSRF provides low-interest rate financing terms and in certain cases offers loan guarantees, principal forgiveness and grants to eligible recipient entities for projects that reduce, eliminate or prevent water pollution. The DWSRF provides low-interest rate financing terms and in certain cases offers principal forgiveness, as well as hardship grants for publicly and privately owned community water system projects that provide safe, affordable drinking water.

The New York State Clean Water Infrastructure Act of 2017 (Act) invests \$2.5 billion in clean and drinking water infrastructure projects and water quality protection across New York. It provides at least \$1 billion for the New York State Water Infrastructure Improvement Act of 2017 (WIIA), which authorized EFC to provide grants to assist municipalities in funding water quality infrastructure. WIIA grants are available for both drinking water and sewage treatment works (clean water) projects. As part of the Act, the New York State Intermunicipal Water Infrastructure Grants Program (IMG) authorizes EFC to provide at least \$150 million in grants to assist municipalities in support of intermunicipal water quality infrastructure projects. The Emerging Contaminates (EC) Grant Program provides funds to combat emerging contaminants, such as PFOA, PFOS and 1, 4-dioxane, with system upgrades and innovative technologies. An additional \$2.5 billion in state appropriations have been made available for drinking water and clean water infrastructure capital projects, including \$500 million in the fiscal year 2023 Executive Budget.

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The Septic System Replacement Fund was established as part of the Act and provides a source of funding for the replacement of cesspools and septic systems in New York State and seeks to reduce the environmental and public-health impacts associated with the discharge of effluent from cesspools and septic systems on groundwater used as drinking water, as well as threatened or impaired water bodies. The program provides grants for eligible septic system projects.

The Emergency Financial Assistance program was also established as part of the Act. It authorizes expedited emergency financial assistance to municipalities for wastewater and drinking water infrastructure emergencies. The amount of financial assistance provided to any municipality will be based on the reasonable costs immediately necessary to address the emergency. The financial assistance is a loan to be repaid within one year.

The IFP provides tax-exempt and taxable conduit financings to private entities for a variety of environmental projects that manage waste and, control pollution, and to build drinking water and wastewater treatment facilities.

EFC provides administrative and technical assistance to private and public sector clients to help them with administering their programs including:

1. The East of Hudson Septic System Rehabilitation Reimbursement Program contract with New York City DEP provides grants to reduce adverse water quality impacts from failing residential septic systems in the Kensico, West Branch, Boyd Corners, Cross River and Croton Falls portions of the New York City Water Supply Watershed Basin;
2. The Clean Vessel Assistance Program (CVAP) provides grants to assist recipients install pump out and dump station facilities to receive sewage from recreational marine vessels. The program also works to raise boater awareness regarding the benefits, use, and availability of pump out stations;

(2) Summary of Significant Accounting Policies

(a) Basis of Accounting

The accompanying basic financial statements have been prepared in conformity with U.S. generally accepted accounting principles as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The operations of the Corporation are accounted for using the accrual basis of accounting in order to recognize the flow of economic resources. Under this basis, revenues are recognized in the period in which they are earned, and expenses are recognized in the period in which they are incurred. The more significant accounting policies are described below.

(b) Revenue Recognition and Accounts Receivable

The Corporation recognizes revenue when earned. Project grant revenues under capitalization grants for the operation of the State Revolving Fund (SRF) programs are recognized when reimbursable expenses are incurred for financings originated.

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(c) Cash and Cash Equivalents

EFC considers certificates of deposit, repurchase agreements, money market funds, U.S. Treasury Bills and Federal Home Loan Bank Discount Notes, with remaining maturities of three months or less at the time of purchase, to be cash equivalents. At March 31, 2023, the cash and cash equivalents, excluding U.S. Treasury Bills, U.S. Treasury Money Market Funds and Federal Home Loan Bank Discount Notes, are fully insured or collateralized with securities in the Corporation's name. U.S. Treasury Bills are uninsured and not collateralized, but are held in trust accounts in EFC's name and are backed by the full faith and credit of the Federal government.

(d) Investments

EFC's investment guidelines permit investment of funds in obligations of, or guaranteed by, the United States of America or New York State, as well as in time deposits, guaranteed investment contracts, repurchase agreements and other permitted investments such as qualified municipal obligations. All cash, time deposits, guaranteed investment contracts and repurchase agreements are collateralized by securities (obligations of, or guaranteed by, the United States of America or New York State and any FDIC coverage) having a fair value of not less than 102% of the amount currently on deposit or in accordance with their respective agreement. At March 31, 2023, EFC's guaranteed investment contracts require collateral be maintained at 113% of the investment value. From time to time, the actual collateral pledged may fall below the contractual requirement of the guaranteed investment contracts. Upon notice to the investment providers, additional collateral is pledged to satisfy the contractual requirements.

Investments are recorded at fair value or amortized cost. Guaranteed investment contracts and structured debt obligations (Tennessee Valley Authority (TVA) and Inter-American Development Bank (IADB)) are considered nonparticipating contracts and are therefore recorded at cost. Municipal obligations are recorded at fair value obtained from independent pricing services. United States government backed or sponsored securities with original maturities at the time of purchase of one year or less are recorded at cost. EFC requires delivery to its custodian (agent) or other acceptable financial institutions of all securities purchased and collateral for guaranteed investment contracts, certificates of deposit and repurchase agreements, regardless of the seller institution.

The Corporation applies GASB Statement No. 72, *Fair Value Measurement and Application*. This Statement provides guidance for determining a fair value measurement for financial reporting purposes. This Statement also provides guidance for applying fair value to certain investments and disclosures related to all fair value measurements.

Except for investments reported at net asset value (NAV) or its equivalent as a practical expedient to estimate fair value, fair value is measured using three levels:

Level 1: Investments include cash and money market funds, equity and fixed income securities with observable market prices. Fair value is readily determinable based on quoted market prices in active markets for those securities.

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Level 2: Investments whose inputs are other than quoted prices in active markets that are observable either directly or indirectly and fair value is determined through the use of models or other valuation methodologies.

Level 3: Investments have significant unobservable inputs. The inputs into the determination of fair value are based on the best information available.

A financial instrument's level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement.

(e) Use of Estimates

The preparation of basic financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the basic financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates and any differences are reflected in the statement of revenues, expenses, and changes in net position in the year of the change.

The methods for making such estimates and for establishing the resulting liability are continually reviewed, and any adjustments are reflected in the statement of revenues, expenses and changes in net position in the year of the change.

(f) Net Position

The Corporation's net position is classified in the following categories: restricted for revolving loan fund programs, consisting of assets less related liabilities restricted for the operation of the CWSRF and DWSRF programs; and unrestricted, consisting of assets reduced by related liabilities that are not classified as restricted. If both restricted and unrestricted resources are available for use, restricted resources are generally used first.

(g) Operating and Nonoperating Revenues and Expenses

The Corporation distinguishes operating revenues and expenses from nonoperating items in the preparation of its basic financial statements. The principal operating revenues are generated from the interest income earned from borrowings under the long-term loan programs and fees related to these programs. The Corporation's operating expenses include interest expense on bonds payable, interest subsidy provided, principal forgiveness and expenses related to the administration of EFC's activities. The principal nonoperating revenues are generated from project grant revenues, investment income, and other none change revenues. EFC has adopted a policy of recognizing interest income on bonds receivable from below market rate financings at the amount received from borrowers. Nonoperating expenses include program grants.

(h) Recently Adopted Accounting Principals

During the year ended March 31, 2023 EFC adopted GASB 87, Leases, and GASB 91, Conduit Debt Obligations. There was no material impact to EFC's basic financial statements.

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(i) Net Pension Asset

EFC participates in a cost sharing multiple employer pension plan, the New York State and Local Employees' Retirement System (System). GASB Statement No. 68, *Accounting and Financial Reporting for Pensions* (GASB 68). GASB 68 requires that a portion of the Plan's net pension liability (asset) as well as deferred inflows and outflows of resources from pension activities be reflected in the reported amounts on the Corporation's statement of net position.

For purposes of measuring the net pension asset, deferred outflows of resources and deferred inflows of resources related to EFC's participation in the System, as well as the related pension expense, information about the fiduciary net position of the System, and additions to/deductions from EFC's fiduciary net position have been determined on the same basis as they are reported by the System. For this purpose, benefit payments are recognized when due and payable in accordance with the statutes governing the System. Investments of the System are reported at fair value.

(j) Other Post-Employment Benefits

Medical and Prescription Drug benefits are provided through the New York State Health Insurance Program (NYSHIP) for eligible employees who retire directly from EFC employment with a minimum of 10 years of service with NYS Civil Service, and a minimum of one year with EFC immediately preceding retirement. The plan is considered a single employer plan.

EFC's annual other post-employment benefit (OPEB) expense is calculated based on an amount actuarially determined in accordance with the parameters of GASB Statement 75, *Accounting and Financial Reporting for Postemployment*. The total OPEB liability represents the portion of actuarial present value of projected benefit payments attributable to past periods of member service.

(3) State Revolving Funds

The CWSRF program was created as a result of passage of the Federal Water Quality Act of 1987 and New York State's enactment of Chapter 565 of the Laws of 1989, that established. EFC is responsible for the execution and oversight of the CWSRF in New York State. The CWSRF provides financial support for needed wastewater infrastructure improvements. The program is administered jointly by EFC and the New York State Department of Environmental Conservation (DEC).

The DWSRF program was created as a result of passage of the 1996 Amendments to the Safe Drinking Water Act by the U.S. Congress and New York State's enactment of Chapter 413 of the Laws of 1996 (Clean Water/Clean Air Bond Act). The DWSRF provides financial support to public and private water systems to undertake needed drinking water infrastructure improvements. The program is administered jointly by EFC and the New York State Department of Health (DOH).

EFC's primary activities with regard to the CWSRF and DWSRF include providing financial assistance for eligible projects, the issuance of debt in the capital markets for the purpose of providing financial assistance, the investment of program moneys, and the management and coordination of the programs.

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SRF program capitalization grants are issued from the U.S. Environmental Protection Agency (USEPA) to New York State, for which the State is required to provide 20% in matching funds. New York State distributes these Federal and State moneys to DEC and DOH who in turn distribute these moneys to EFC to provide financial assistance to eligible recipients. Financial assistance under the SRF program may be provided directly from the grant funds, or from the proceeds of the issuance of bonds, repayments, and/or interest earnings. Certain recipient financings are eligible for below market interest rates. Rates are reduced by one-third or one-half the market interest for Drinking Water and Clean Water projects, respectively.

Funds and accounts pertaining to the SRF programs are limited to specific uses by laws and regulations as well as Capitalization Grant and Operating Agreements entered into between USEPA and the State. As a result of these limitations on uses, these funds are classified as restricted on the statement of net position.

Reserve Allocation and Subsidy: In connection with certain financings, amounts received from the Federal government through the USEPA and New York State are drawn and deposited in an unallocated equity account. As an eligible recipient expends funds for costs of issuance, repayment of debt, refinancing of debt, defeasance of debt, and for acquisition and/or construction these funds are then transferred to the recipient in an amount equal to one-third or one-half of the expenditure from the unallocated equity account to the debt service reserve fund for the recipient. As a recipient repays its financing, a proportionate amount in the applicable debt service reserve fund will be redeposited in the unallocated equity account of the appropriate SRF. The earnings on the debt service reserve funds are utilized as subsidy to reduce the interest costs that recipients pay on their financing.

Committed Subsidies: In certain financings, the SRFs provide contractual commitments to recipients of leveraged financings to provide specified amounts of interest subsidies from earnings on reserve allocations or other SRF program resources or a combination of both. In general, it is expected that certain leveraged financings will not have any associated reserve allocations. Nevertheless, EFC utilizes other available SRF monies to provide recipients with an interest subsidy generally comparable to the subsidy that EFC provides from earnings on reserve allocations.

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(4) Cash and Cash Equivalents and Investments

EFC's cash equivalents and investments include cash equivalents and investments that are insured or collateralized, that are backed by the full faith and credit of the Federal government or invested in securities of a U.S. Government Sponsored Enterprise. As of March 31, 2023, cash and cash equivalents and investments held by the Corporation and the associated credit risks and maturities were as follows:

| Investment type | Credit risk range | Cost/ fair value | Investment maturities in years | | | |
|---------------------------------------|-------------------|---------------------|--------------------------------|--------------|-----------------|-----------------------|
| | | | 5Less than 1 year | 1 – years | 6 – 10 years | More than 10 years |
| Non-U.S. government backed: | | | | | | |
| Guaranteed investment contracts | A – AAA | \$ 357,459,354 | — | — | 77,336,231 | 280,123,123 |
| Municipal obligations | BBB – AAA | 497,509,383 | 14,547,648 | 98,148,890 | 87,090,085 | 297,722,760 |
| U.S. government backed/sponsored: | | | | | | |
| U.S. Treasury bills | | 709,712,611 | 709,712,611 | — | — | — |
| U.S. Treasury Notes | | 128,319,100 | 29,640,300 | 98,678,800 | — | — |
| Federal home loan bank discount notes | | 474,468,058 | 474,468,058 | — | — | — |
| State and local government series | | — | — | — | — | — |
| Structured debt obligations | | 215,828,076 | 32,231,307 | 112,094,168 | 61,793,607 | 9,708,994 |
| | | \$ 2,383,296,582 | 1,260,599,924 | 308,921,858 | 226,219,923 | 587,554,877 |

The following table presents the Corporation's investments that are carried at fair value as of March 31, 2023, based on the fair value hierarchy:

| Investment type | Total | Level 1 | Level 2 | Level 3 |
|---------------------------------|-----------------------|--------------------|--------------------|----------|
| Investments at fair value: | | | | |
| Municipal obligations | \$ 497,509,383 | — | 497,509,383 | — |
| U.S. Treasury Notes | 128,319,100 | 128,319,100 | — | — |
| Total investments by fair value | <u>\$ 625,828,483</u> | <u>128,319,100</u> | <u>497,509,383</u> | <u>—</u> |

With regard to the investments above, the Corporation has an investment policy that limits its exposure to losses arising from credit risk, interest rate risk, custodial credit risk, and concentration of credit risk.

Credit risk is the risk that an issuer will not fulfill its obligations. New York State law limits the investments that the Corporation can make, which minimizes the Corporation's exposure to credit risk.

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Corporation's policy for managing this risk is to hold investment securities to maturity, at which time the fair value of the investment is equal to its stated maturity value.

Custodial credit risk for investments is the risk that in the event of the failure of the counterparty to perform on a transaction, the Corporation will not be able to recover the value of investment securities that are in the possession of an outside party. To manage this risk, the Corporation's guaranteed investment contracts are collateralized and held by a third party.

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Other than U.S. government and U.S. Government Guaranteed/Sponsored securities, New York State General Obligation securities and New York State Personal Income Tax securities, EFC's investment policies limit any single obligor's uncollateralized investments to no more than 15% of the combined SRF programs' long-term nonpurpose, unpledged investment buy program. Concentration of credit risk in EFC's guaranteed investment contracts portfolio is minimized by obligors providing collateralization of at least 113% of invested funds to a third-party custodian for 2023.

As of March 31, 2023, the Corporation had four providers of guaranteed investment contracts, of which all were obligated for more than 5% of the total investment contract portfolio. The four providers were Societe General with \$165.9 million or 46.4% of the portfolio, Bank of America with \$91.9 million or 25.7% of the portfolio, JP Morgan Chase with \$77.3 million or 21.6% of the portfolio, and Citigroup with \$22.3 million or 6.3% of the portfolio.

(5) Short-Term Financings Receivable

Short-term financings receivable are provided with SRF capitalization grant monies, repayments, state grant monies, and/or interest earnings. This program assists eligible recipients with cash flow needs through project design and construction. The program provides short-term (generally three to five years) interest free and/or market rate financings to eligible recipients which have completed the facility planning process but in most instances are not ready to apply for long term (up to thirty years) financing.

Short-term financings receivable amounts are as follows:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|----------------------|----------------|--------------|--------------|
| Year ended March 31: | | | |
| 2023 | \$ 544,802,168 | 156,009,032 | 700,811,200 |

Short-term financings receivable mature as follows:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|------|-----------------------|--------------------|--------------------|
| 2024 | \$ 191,487,787 | 42,251,485 | 233,739,272 |
| 2025 | 129,303,801 | 34,629,419 | 163,933,220 |
| 2026 | 148,709,984 | 65,757,954 | 214,467,938 |
| 2027 | 37,560,935 | 11,521,623 | 49,082,558 |
| 2028 | 37,739,662 | 1,848,551 | 39,588,213 |
| | <u>\$ 544,802,169</u> | <u>156,009,032</u> | <u>700,811,201</u> |

(6) Direct Financings Receivable

Direct financings receivables are funded with SRF capitalization grant monies, repayments and/or interest earnings. Direct financings receivable have been issued with interest rates that range from 0% to 4.87% and mature through the year 2053.

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Direct financings receivable mature as follows:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|----------------------|-------------------------|--------------------|----------------------|
| Year ended March 31: | | | |
| 2024 | \$ 98,020,322 | 33,204,797 | 131,225,119 |
| 2025 | 88,494,453 | 32,673,461 | 121,167,914 |
| 2026 | 89,572,524 | 32,763,176 | 122,335,700 |
| 2027 | 90,513,964 | 31,971,773 | 122,485,737 |
| 2028 | 108,128,911 | 32,151,120 | 140,280,031 |
| 2029-2033 | 580,338,362 | 160,600,792 | 740,939,154 |
| 2034-2038 | 497,478,098 | 156,270,162 | 653,748,260 |
| 2039-2043 | 509,358,450 | 138,070,914 | 647,429,364 |
| 2044-2048 | 395,807,296 | 109,307,707 | 505,115,003 |
| 2049-2053 | 209,304,237 | 52,899,866 | 262,204,103 |
| | <u>\$ 2,667,016,617</u> | <u>779,913,768</u> | <u>3,446,930,385</u> |

(7) SRF Bonds Receivable and Bonds Payable

EFC issues special obligation bonds under the SRF programs and in most cases these bond proceeds together with equity funds are used to provide financial assistance to eligible recipients. The financial assistance is provided pursuant to a financing agreement between EFC and each recipient in which EFC agrees to purchase and the recipient agrees to sell to EFC its bonds in the principal amount of its financing. These financing agreements serve as the primary security for EFC's bonds. Additionally, SRF program debt service reserve funds may be available to collateralize the outstanding bonds. The principal and interest payments of the project financing agreements are structured to be sufficient to pay the full principal and interest payments on EFC's bond obligations. EFC's bonds are issued subject to the terms of a Master Trust Agreement, a Financing Indenture of Trust, and a Supplemental Financing Indenture of Trust that is issued for each bond issue.

Bond proceeds net of issuance costs, and in most cases equity funds, are deposited in construction funds simultaneously with the issuance and sale of the SRF revenue bonds and are generally held for the recipients by the SRF trustee under a third-party agreement. The construction fund proceeds are recorded on the recipients' financial statements and are not included in EFC's basic financial statements. Moneys available and on deposit in the construction funds were \$112.9 million at March 31, 2023.

The bonds of each series are not general obligations of EFC or of New York State. Bonds are payable solely from payments made by each recipient to the trustee and any other pledged funds held by the trustee.

Certain bond series provide for optional redemption provisions.

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The following is a schedule of CWSRF bonds receivable outstanding at March 31, 2023:

| Bond issue | Range of interest rates | Year of maturity | March 31, 2023 |
|------------------------|--|-----------------------------|---------------------------|
| Series 2004C, 4/7/04 | 3.375–5.25 | 2033 | \$ 55,520,000 |
| Series 2010B, 2/11/10 | 5.707–5.807 | 2039 | 111,440,000 |
| Series 2012B, 6/21/12 | 3.00–5.00 | 2042 | 65,040,000 |
| Series 2012C, 6/21/12 | 2.005–3.684 | 2029 | 8,495,000 |
| Series 2012E, 11/15/12 | 3.00–5.00 | 2042 | 98,906,564 |
| Series 2012F, 11/15/12 | 1.874–2.806 | 2024 | 5,930,000 |
| Series 2013A, 7/11/13 | 3.00–5.00 | 2033 | 233,390,000 |
| Series 2013B, 8/1/13 | 3.50–5.00 | 2043 | 175,544,377 |
| Series 2014A, 3/27/14 | 2.00–5.00 | 2034 | 218,630,000 |
| Series 2014B, 7/2/14 | 2.00–5.00 | 2044 | 279,667,269 |
| Series 2015A, 7/2/15 | 3.00–5.00 | 2045 | 158,285,000 |
| Series 2015B, 8/20/15 | 3.00–5.00 | 2045 | 126,555,000 |
| Series 2015C, 8/20/15 | 1.90–3.82 | 2030 | 24,210,000 |
| Series 2015D, 8/20/15 | 3.00–5.00 | 2037 | 190,355,474 |
| Series 2016A, 6/29/16 | 2.00–5.00 | 2046 | 307,670,000 |
| Series 2016B, 9/22/16 | 3.00–5.00 | 2046 | 109,442,761 |
| Series 2016C, 9/22/16 | 1.211–3.113 | 2039 | 22,900,000 |
| Series 2017A, 4/13/17 | 5.00 | 2046 | 346,035,000 |
| Series 2017B, 4/13/17 | 1.658–3.916 | 2036 | 240,545,000 |
| Series 2017C, 11/9/17 | 3.00–5.00 | 2047 | 169,075,000 |
| Series 2017E, 12/14/17 | 3.00–5.00 | 2047 | 217,695,000 |
| Series 2018A, 8/2/18 | 3.00–5.00 | 2030 | 192,030,000 |
| Series 2018B, 11/29/18 | 3.00–5.00 | 2048 | 135,075,000 |
| Series 2019A, 6/13/19 | 3.00–5.00 | 2049 | 231,820,000 |
| Series 2019B, 10/8/19 | 3.00–5.00 | 2038 | 187,545,000 |
| Series 2020A, 4/8/20 | 4.00–5.00 | 2049 | 157,920,000 |
| Series 2020B, 12/17/20 | 3.00–5.00 | 2050 | 174,440,000 |
| Series 2021A, 6/30/21 | 3.00–5.00 | 2041 | 194,990,000 |
| Series 2021B, 12/9/21 | 4.00–5.00 | 2051 | 162,004,604 |
| Series 2022A, 4/21/22 | 4.00–5.00 | 2051 | 325,685,000 |
| Series 2022B, 12/6/22 | 5.00–5.25 | 2052 | 511,115,688 |
| | | | <u>\$ 5,437,956,737</u> |

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| Bond issue | Range of interest rates | Year of maturity | March 31, 2023 |
|-------------------|-------------------------------|---------------------|-------------------------|
| Beginning balance | | | \$ 5,132,119,863 |
| Bonds issued | | | 841,900,688 |
| Bonds retired | | | <u>(536,063,814)</u> |
| Ending balance | | | <u>\$ 5,437,956,737</u> |

The New York City Municipal Water Finance Authority makes up 59.3% of the CWSRF bonds receivable at March 31, 2023.

Included in CWSRF bonds payable are unamortized bond premiums of \$117.8 million at March 31, 2023.

The following is a schedule of DWSRF bonds receivable outstanding at March 31, 2023:

| Bond issue | Range of interest rates | Year of maturity | March 31, 2023 |
|------------------------|-------------------------------|---------------------|-------------------|
| Series 2004C, 4/7/04 | 4.50–5.00 | 2026 | \$ 1,075,000 |
| Series 2010B, 2/11/10 | 4.469–5.707 | 2029 | 50,630,000 |
| Series 2012B, 6/21/12 | 3.00–5.00 | 2032 | 3,135,000 |
| Series 2012E, 11/15/12 | 3.00–5.00 | 2032 | 5,540,000 |
| Series 2013A, 7/11/13 | 5.00 | 2026 | 2,700,000 |
| Series 2013B, 8/1/13 | 3.50–5.00 | 2042 | 20,251,247 |
| Series 2014A, 3/27/14 | 5.00 | 2026 | 5,145,000 |
| Series 2014B, 7/2/14 | 2.00–5.00 | 2044 | 16,042,820 |
| Series 2015A, 7/2/15 | 4.00–5.00 | 2027 | 6,925,000 |
| Series 2015B, 8/20/15 | 5.00 | 2042 | 9,115,000 |
| Series 2015D, 8/20/15 | 3.00–5.00 | 2036 | 33,939,184 |
| Series 2016A, 6/29/16 | 2.00–5.00 | 2046 | 109,450,000 |
| Series 2016B, 9/22/16 | 3.00–5.00 | 2046 | 45,565,000 |
| Series 2017A, 4/13/17 | 3.50–5.00 | 2046 | 117,675,000 |
| Series 2017B, 4/13/17 | 1.658–3.366 | 2029 | 9,150,000 |
| Series 2017C, 11/9/17 | 5.00 | 2047 | 3,515,000 |
| Series 2017D, 11/9/17 | 1.885–3.751 | 2047 | 12,590,000 |

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| Bond issue | Range of interest rates | Year of maturity | March 31, 2023 |
|------------------------|-------------------------------|---------------------|-------------------------|
| Series 2017E, 12/14/17 | 3.00–5.00 | 2047 | \$ 93,980,000 |
| Series 2018A, 8/2/18 | 3.00–5.00 | 2030 | 37,305,000 |
| Series 2018B, 11/29/18 | 3.00–5.00 | 2048 | 108,330,000 |
| Series 2019A, 6/13/19 | 3.00–5.00 | 2049 | 3,630,000 |
| Series 2019B, 10/8/19 | 4.00–5.00 | 2049 | 128,515,000 |
| Series 2020B, 12/17/20 | 3.00–5.00 | 2050 | 63,140,000 |
| Series 2021A, 6/30/21 | 3.00–5.00 | 2041 | 72,625,000 |
| Series 2021B, 12/9/21 | 4.00–5.00 | 2051 | 90,152,777 |
| Series 2022A, 4/21/22 | 4.00–5.00 | 2051 | 87,320,000 |
| Series 2022B, 12/6/22 | 5.00–5.25 | 2052 | 130,209,609 |
| | | | <u>\$ 1,267,650,637</u> |
| Beginning balance | | | \$ 1,121,112,887 |
| Bonds issued | | | 218,304,609 |
| Bonds retired | | | <u>(71,766,859)</u> |
| Ending balance | | | <u>\$ 1,267,650,637</u> |

The New York City Municipal Water Finance Authority makes up 73.6% of the DWSRF bonds receivable at March 31, 2023.

Included in DWSRF bonds payable are unamortized bond premiums of \$39.4 million at March 31, 2023.

Defeased in-substance debt outstanding that is no longer recorded on EFC's statement of net position amounted to \$37.0 million at March 31, 2023.

In fiscal 2023, the Corporation issued \$739.8 million of State Revolving Funds Revenue Bonds. A portion of the proceeds, including a premium of \$72.9 million, was used to redeem one series of previously issued SRF bonds totaling \$216.4 million in par value. As a result of refinancing, the underlying borrowers in these transactions will realize \$11.5 million in present value savings. The remaining bond proceeds were used to provide financial assistance to eligible recipients.

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Principal payments on bonds receivable mature as follows:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|----------------------|-------------------------|----------------------|----------------------|
| Year ended March 31: | | | |
| 2024 | \$ 326,321,265 | 73,731,468 | 400,052,733 |
| 2025 | 313,782,112 | 68,321,985 | 382,104,097 |
| 2026 | 313,025,788 | 66,966,184 | 379,991,972 |
| 2027 | 306,811,504 | 64,321,000 | 371,132,504 |
| 2028 | 293,480,034 | 65,355,000 | 358,835,034 |
| 2029–2033 | 1,400,628,123 | 262,445,000 | 1,663,073,123 |
| 2034–2038 | 1,113,395,150 | 184,515,000 | 1,297,910,150 |
| 2039–2043 | 688,290,000 | 202,960,000 | 891,250,000 |
| 2044–2048 | 429,142,761 | 172,185,000 | 601,327,761 |
| 2049–2053 | 253,080,000 | 106,850,000 | 359,930,000 |
| | <u>\$ 5,437,956,737</u> | <u>1,267,650,637</u> | <u>6,705,607,374</u> |

Interest payments on bonds receivable are as follows:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|----------------------|-------------------------|--------------------|----------------------|
| Year ended March 31: | | | |
| 2024 | \$ 226,991,992 | 55,050,321 | 282,042,313 |
| 2025 | 213,539,100 | 51,865,294 | 265,404,394 |
| 2026 | 200,494,168 | 48,930,315 | 249,424,483 |
| 2027 | 187,524,135 | 46,076,323 | 233,600,458 |
| 2028 | 174,923,657 | 43,201,964 | 218,125,621 |
| 2029–2033 | 694,578,795 | 175,326,183 | 869,904,978 |
| 2034–2038 | 413,001,584 | 130,161,491 | 543,163,075 |
| 2039–2043 | 223,758,629 | 87,015,879 | 310,774,508 |
| 2044–2048 | 83,601,942 | 35,515,197 | 119,117,139 |
| 2049–2053 | 27,484,762 | 11,043,551 | 38,528,313 |
| | <u>\$ 2,445,898,764</u> | <u>684,186,518</u> | <u>3,130,085,282</u> |

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Principal payments on bonds payable mature as follows:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|----------------------|-------------------------|----------------------|----------------------|
| Year ended March 31: | | | |
| 2024 | \$ 263,595,000 | 62,370,000 | 325,965,000 |
| 2025 | 252,755,000 | 59,165,000 | 311,920,000 |
| 2026 | 255,190,000 | 58,395,000 | 313,585,000 |
| 2027 | 255,725,000 | 56,440,000 | 312,165,000 |
| 2028 | 241,920,000 | 57,695,000 | 299,615,000 |
| 2029–2033 | 1,156,150,000 | 232,590,000 | 1,388,740,000 |
| 2034–2038 | 887,225,000 | 168,925,000 | 1,056,150,000 |
| 2039–2043 | 500,810,000 | 190,550,000 | 691,360,000 |
| 2044–2048 | 386,010,000 | 192,825,000 | 578,835,000 |
| 2049–2053 | 117,255,000 | 65,810,000 | 183,065,000 |
| | <u>\$ 4,316,635,000</u> | <u>1,144,765,000</u> | <u>5,461,400,000</u> |

Interest payments on bonds payable are as follows:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|----------------------|-------------------------|--------------------|----------------------|
| Year ended March 31: | | | |
| 2024 | \$ 197,665,150 | 53,587,647 | 251,252,797 |
| 2025 | 185,558,564 | 50,541,434 | 236,099,998 |
| 2026 | 173,578,447 | 47,667,206 | 221,245,653 |
| 2027 | 161,451,621 | 44,837,022 | 206,288,643 |
| 2028 | 149,636,547 | 42,013,901 | 191,650,448 |
| 2029–2033 | 582,737,768 | 170,194,014 | 752,931,782 |
| 2034–2038 | 331,704,528 | 125,610,819 | 457,315,347 |
| 2039–2043 | 175,335,670 | 83,431,328 | 258,766,998 |
| 2044–2048 | 71,396,984 | 37,226,287 | 108,623,271 |
| 2049–2053 | 11,252,000 | 5,911,169 | 17,163,169 |
| | <u>\$ 2,040,317,279</u> | <u>661,020,827</u> | <u>2,701,338,106</u> |

The bonds issued range of interest rate and years of maturity is similar to the bonds receivable.

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The following is a reconciliation of bonds receivable to bonds payable:

| | <u>CWSRF</u> | <u>DWSRF</u> | <u>Total</u> |
|----------------------------------|-------------------------|----------------------|----------------------|
| Bonds receivable, March 31, 2023 | \$ 5,437,956,737 | 1,267,650,637 | 6,705,607,374 |
| Equity funded bonds receivable | (1,039,556,302) | (83,509,279) | (1,123,065,581) |
| Series 2017D | 35,870,000 | — | 35,870,000 |
| Premium on bonds payable | <u>(117,635,435)</u> | <u>(39,376,358)</u> | <u>(157,011,793)</u> |
| Bonds payable, March 31, 2023 | <u>\$ 4,316,635,000</u> | <u>1,144,765,000</u> | <u>5,461,400,000</u> |

Equity funded bonds receivable, or the blend rate funding model, utilizes a combination of bond proceeds from the issuance of EFC special obligation bonds and equity funds available from the CWSRF and DWSRF programs to fund a portion of each underlying recipients' financing. The equity funded portion is essentially an interest free component of each financing which satisfies subsidy targets. Both bond proceeds and equity funds are included in amounts recorded to bonds receivable however, only the bond proceeds are included in amounts recorded to bonds payable. Series 2017D has no associated Bonds Receivable. The above tables represent the reconciliation of bonds receivable to bonds payable outstanding at March 31, 2023. Bonds payable presented in the tables above are inclusive of unamortized bond premiums as of March 31, 2023.

(8) Other Restricted Funds

EFC acts as an administrator for various funds/programs under other restricted funds. At March 31, 2023, EFC's other restricted funds were \$263 thousand. A description of each of the funds is as follows:

DEC Escrow Fund: This fund is utilized to account for all transactions which occur relative to the agreements between DEC and EFC to administer certain escrow accounts.

East of Hudson Septic System Rehabilitation Reimbursement Program: This fund is utilized to account for all transactions that occur relative to the agreement between the New York City Department of Environmental Protection and EFC to administer the East of Hudson Program.

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The following is a summary of activities that have occurred within other restricted funds during the year ended March 31, 2023:

| | <u>DEC</u> | <u>East of Hudson</u> | <u>Total</u> |
|-------------------------|------------|-----------------------|--------------|
| Balance, March 31, 2022 | \$ 272,283 | 2,034,687 | 2,306,970 |
| Receipts: | | | |
| Program advances | — | — | — |
| Interest earnings | 486 | 2,921 | 3,407 |
| Total receipts | 486 | 2,921 | 3,407 |
| Disbursements: | | | |
| Project expenses | 3,860 | 2,024,129 | 2,027,989 |
| Administrative expenses | 6,000 | 13,479 | 19,479 |
| Total disbursements | 9,860 | 2,037,608 | 2,047,468 |
| Balance, March 31, 2023 | \$ 262,909 | — | 262,909 |

(9) Industrial Financing Program

EFC has entered into agreements with private sector companies to provide funds for certain environmental projects and with New York State to provide funding to the State for certain programs. Industrial Financing Bonds or Private Activity Bonds are considered conduit debt and not included as obligations in the accompanying basic financial statements of EFC.

Private Activity Bonds: Under the terms of the agreements, EFC issues bonds on behalf of private sector companies for use in the construction or refinancing of certain environmental projects. The bonds issued are special obligation revenue bonds payable solely from funds provided by the companies and do not constitute a liability of EFC or New York State and therefore are not reported in the accompanying basic financial statements. Private Activity Bonds outstanding totaled \$105 million at March 31, 2023.

(10) Retirement Plan

(a) General information

Employees of EFC are members of the New York State and Local Employees' Retirement System (System), a defined benefit cost-sharing, multiple-employer public employee retirement system. The net position of the System is held in the New York State Common Retirement Fund (Fund), which was established to hold all net assets and record changes in fiduciary net position allocated to the System. System benefits and required contributions are established under the provisions of the New York State Retirement and Social Security Law (RSSL). The System offers a range of programs and benefits that vary based on the date of membership, years of credited service and final average salary, vesting of retirement benefits, disability benefits and optional methods of benefit payments. Once a public employer elects to participate in the System, the election is irrevocable. As part of ERS, EFC also

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participates in the Public Employees Group Life Insurance Plan (GLIP), which provides death benefits in the form of life insurance. The System is included in the State's financial report as a pension trust fund. The System's financial report may be found at www.osc.state.ny.us/retire/publications/index.php or obtained by writing the New York State and Local Retirement System, 110 State St, Albany, NY 12244.

Most members of the System who joined before July 27, 1976 or who have been a member of the System for at least ten years are enrolled in a noncontributory plan; the Corporation contributes the entire amount determined to be payable to the System. Personnel who joined the System July 27, 1976 or after and have not been a member of the System for at least ten years are required to contribute a percentage of their gross salary. Members who joined the System before January 1, 2010, are required by law to contribute a percentage of their gross salary for all years of service. The Corporation contributes the balance payable to the System for these employees.

(b) Funding Policy

Funding of the Systems is accomplished through member and employer contributions and investment earnings, according to the New York State Retirement and Social Security Law. Plan members who joined the Systems before July 27, 1976 are not required to make contributions. Those joining on or after July 27, 1976 and before January 1, 2010 who have less than 10 years of service or membership are required to contribute 3% of salary. Those joining on or after January 1, 2010, and before April 1, 2012, are required to contribute 3% throughout active service. Persons joining on or after April 1, 2012, are required to contribute between 3% and 6% throughout active service. Employers are required to contribute at an actuarially determined rate. Fully contributed average employer contribution rate for the Tiers of 14.7% was applicable to the annual covered payroll for the year ended March 31, 2021. EFC's required contribution for the fiscal year ended March 31, 2022 was \$902,247 and was 100% of the contribution required.

(c) Pension Liability, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At March 31, 2023, EFC recognized a net pension asset of \$2,197,707, for its proportionate share of the System's net pension liability and is included in the other liabilities in the accompanying basic financial statements. The net pension liability was measured as of March 31, 2022 and was determined using an actuarial valuation as of April 1, 2021. Update procedures were used to roll forward the net pension liability to March 31, 2022. EFC's proportion of the System's net pension liability was based on a projection of EFC's long-term share of contributions to the pension plan relative to the projected contributions of all participating members, actuarially determined.

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At the measurement date of March 31, 2022, EFC's proportion of the net pension liability of the System was 0.0266047%. EFC recognized pension expense for the year ended March 31, 2023 of \$39,962 and is included in Administrative costs in the accompanying basic financial statements. At March 31, 2023, EFC reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

| | 2023 | |
|---|---|--|
| | Deferred outflows of resources | Deferred inflows of resources |
| Differences between expected and actual experience | \$ 166,435 | 215,876 |
| Changes of assumptions | 3,667,726 | 61,889 |
| Net difference between projected and actual earnings on pension plan investments | — | 7,196,568 |
| Changes in proportion and differences between contributions and proportionate share of contributions | 161,108 | 355,994 |
| Contributions subsequent to measurement date | 902,247 | — |
| | <u>\$ 4,897,516</u> | <u>7,830,327</u> |

Contributions of \$902,247 are reported as deferred outflows of resources as a result of EFC's contributions subsequent to the measurement date and will be recognized as a reduction of the net pension liability in the year ending March 31, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

| | Amount |
|----------------------|-----------------------|
| Year ended March 31: | |
| 2023 | \$ (636,096) |
| 2024 | (896,520) |
| 2025 | (1,935,184) |
| 2026 | (367,258) |
| | <u>\$ (3,835,058)</u> |

(d) Actuarial Assumptions

For the measurement date of March 31, 2022, the actuarial assumptions included in the actuarial valuation includes an inflation factor of 2.7%, projected salary increases of 4.4%, cost of living adjustments of 1.4% and an investment rate of return of 5.9%.

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Mortality rates are based on System experience from April 1, 2015 to March 31, 2020, adjusting for improvements based on the Society of Actuaries' Scale MP-2020. The previous actuarial valuation of April 1, 2020 used the same assumptions for the measure of total pension liability.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected return, net of investment expenses and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

Best estimates of arithmetic real rates of return for each major asset class included in the target asset allocation as of March 31, 2022 is summarized below:

| Asset class | 2022 | |
|--|-------------------|--|
| | Target allocation | Long-term expected real rate of return |
| Domestic equity | 32 % | 3.30 % |
| International equity | 15 | 5.85 |
| Private equity | 10 | 6.50 |
| Real estate | 9 | 5.00 |
| Opportunistic/Absolute Return Strategy | 3 | 4.10 |
| Credit | 4 | 3.78 |
| Real assets | 3 | 5.58 |
| Fixed income | 23 | — |
| Cash | 1 | (1.00) |
| | <u>100 %</u> | |

The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially determined. Based upon the assumptions, the System's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rates of return on pension plan investments for 2023 of 5.9%, were applied to all periods of projected benefit payments to determine the total pension liability.

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The following presents EFC's proportionate share of the net pension liability for 2023 calculated using the discount rates of 5.9% as well as what EFC's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage-point higher than the current rate:

| | <u>1% Decrease</u> | <u>Current Assumption</u> | <u>1% Increase</u> |
|--|------------------------|-------------------------------|------------------------|
| Proportionate share of the net pension liability (asset) | \$ 5,656,868 | (2,197,707) | (8,767,676) |

(11) Other Post-Employment Benefits

(a) General Information

EFC provides postemployment healthcare benefits for eligible retired employees and their dependents who retire from EFC. EFC is a voluntary participating employer in NYSHIP, which is administered by the State of New York. Article XI of the New York State Civil Service Law assigns the authority to NYSHIP to establish and amend the benefit provisions of the plans and to establish maximum obligations of the plan members to contribute to the plan. NYSHIP is considered a single employer defined benefit plan offered by EFC to its employees.

In order to be eligible, employees must be enrolled as a NYSHIP enrollee or a dependent of a NYSHIP enrollee at the time of retirement from EFC, be eligible to receive a pension from the ERS and to have ten years of State service. In calculating the ten year service requirement, all of the employee's service need not be with EFC, but may be a composite of New York State service elsewhere, with a minimum of one year with EFC immediately preceding retirement. Employees with no prior State service must work a minimum of ten years with EFC before they and their dependents are eligible for the retirement medical benefits.

EFC pays 100% of the cost of single coverage and 75% of the cost of dependent coverage for employees who retired before January 1, 1983. EFC pays 90% of the cost of single coverage and 75% of dependent coverage for employees who retire on or after January 1, 1983. A vestee is a EFC employee vested as a member of the retirement system administered by the State, who has withdrawn from State service after meeting EFC's minimum service requirement but has not met the age requirement for continuing health insurance.

As of the measurement date, there were the following employees covered by the benefit terms:

| | |
|--|------------|
| Inactive employees or beneficiaries currently receiving benefit payments | 67 |
| Inactive employees entitled to but not yet receiving benefit payments | 5 |
| Active employees | 85 |
| | <u>157</u> |

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Funding Policy: EFC has not funded a qualified trust or its equivalent as defined in GASB Statement No. 75, therefore benefits are funded on a pay as you go basis. Health insurance premiums for retired employees are equal to the premiums charged for active employees. EFC pays a portion of the premium for medical coverage for the employee and spouse for the lifetimes of the employee and spouse based on the plan chosen by the employee. EFC also reimburses retirees, spouses, and surviving spouses for their entire Medicare Part B premium payment. The dollar value of accumulated sick leave credits at the time of retirement is converted to a lifetime monthly credit, which is used to reduce the portion of the health insurance premiums paid directly by retirees and in some instances their surviving spouse for life. Contributions are made on a pay-as-you-go basis.

(b) Actuarial Assumptions and Other Inputs

Projections of benefits for financial reporting purposes are based on the substantive plan and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long term perspective of the calculations.

In the March 31, 2022 actuarial valuation, which was used for March 31, 2023 financial reporting, the Entry Age Normal cost method, as required by GASB 75 is used. EFC does not prefund its plan and is therefore required to use a discount rate equal to 20-year high grade municipal bonds. The baseline discount rate of 2.73% as of March 31, 2023 is based on the Bond Buyer General Obligation 20 Bond Municipal Index. The expected rate of increase in healthcare premiums for the March 31, 2020 valuation is the same rate as applied in the August 2022 report of the "New York State Development of Recommended Actuarial Assumptions for Other Post Employment Benefit Plans Actuarial Valuations – Participating Employer Version."

Mortality assumptions for the reporting date March 31, 2020 were based on the mortality table in the "Annual Report to the Comptroller on Actuarial Assumptions" dated August 2020, with mortality improvement rates based on the MacLeod Watts Scale 2020. Mortality rates for the reporting date March 31, 2018 were based on the RP2000 Employee/Healthy Annuitant sex distinct mortality tables with full generational projection using Scale BB.

(c) Total OPEB Liability and Changes to the Total OPEB Liability

EFC's annual other post-employment benefit (OPEB) expense is calculated based on an amount actuarially determined in accordance with the parameters of GASB Statement 75. The total OPEB liability represents the portion of actuarial present value of projected benefit payments attributable to past periods of member service.

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EFC's total reported OPEB liability of \$38,645,985 as of March 31, 2023 was measured as of March 31, 2022 and was determined by an actuarial valuation as of March 31, 2022.

| | 2023 |
|--|----------------------|
| Total OPEB liability: | |
| Service cost | \$ 1,590,183 |
| Interest on total OPEB liability | 1,219,291 |
| Effect of liability gains and losses | (11,995,774) |
| Effect of assumption changes | (848,774) |
| Benefit payments | (1,065,060) |
| Net change in total OPEB liability | (11,100,134) |
| Total OPEB liability-beginning of year | 49,746,119 |
| Total OPEB liability-ending of year | \$ <u>38,645,985</u> |

The following presents EFC's total OPEB liability, calculated using the discount rates of 2.4% for 2023 as well as what EFC's total OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1-percentage-point higher than the current rate for 2023:

| | 2023 | | |
|----------------------|------------------------|-------------------------------|------------------------|
| | 1% Decrease | Current assumption | 1% Increase |
| Total OPEB liability | \$ 46,382,587 | 38,645,985 | 32,614,334 |

The following presents EFC's total OPEB liability, calculated using the current healthcare cost trend rates, as well as what EFC's total OPEB liability would be if it were calculated using trend rates that are 1 percentage point lower or 1-percentage-point higher than the current trend rates:

| | 2023 | | |
|----------------------|------------------------|-------------------------------|------------------------|
| | 1% Decrease | Current trend rate | 1% Increase |
| Total OPEB liability | \$ 32,527,431 | 38,645,985 | 46,676,779 |

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(d) OPEB Expense, Deferred Inflows, and Deferred Outflows of Resources Related to OPEB

For the year ended March 31, 2023, EFC recognized OPEB expense of \$529,999 and reported deferred outflows and inflows of resources related to OPEB from the following sources:

Deferred outflows of resources:

| | |
|--|----------------------------|
| Changes of assumptions | \$ 5,290,626 |
| Benefit payments subsequent to the measurement date | <u>926,204</u> |
| Total deferred outflows of resources | <u><u>\$ 6,216,830</u></u> |

Deferred inflows of resources:

| | |
|--|-----------------------------|
| Differences between expected and actual experience | \$ 16,967,859 |
| Changes of assumptions | <u>1,593,658</u> |
| Total deferred inflows of resources | <u><u>\$ 18,561,517</u></u> |

Benefit payments subsequent to the measurement date will be recognized as a reduction of the total OPEB liability in the year ending March 31, 2023. Other amounts recognized in the deferred outflows and inflows of resources related to OPEB will be recognized in the OPEB expense as follows:

Year ended March 31:

| | |
|------------|-------------------------------|
| 2024 | \$ (2,279,475) |
| 2025 | (2,337,863) |
| 2026 | (2,347,366) |
| 2027 | (2,269,803) |
| 2028 | (1,925,446) |
| Thereafter | <u>(2,110,938)</u> |
| Total | <u><u>\$ (13,270,891)</u></u> |

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(12) Commitments and Contingencies

At March 31, 2023, the undisbursed balance of active SRF short-term direct loans and grants closed was \$1.2 billion and \$52.3 million, respectively.

In August 2013, the Corporation, through the State Revolving Fund (SRF), guaranteed \$24.3 million Series 2013A Residential Energy Efficiency Financing Revenue Bonds issued by the New York State Energy Research and Development Authority (NYSERDA). The bonds have semi-annual interest payments each January and July 1 and annual principal payments each July 1 from January 1, 2014 to July 1, 2028 and are secured with a pledge of payments from certain residential energy efficiency loans funded by NYSERDA. Under the terms of the guarantee agreement, the Corporation guarantees full and timely payment of principal and interest on the bonds in the event NYSERDA fails to pay when due and payable. NYSERDA established a Collateral Reserve account, which may be used by the Corporation to fund or reimburse the SRF if loan repayments and interest subsidies are insufficient to meet scheduled payments on the bonds, and if there are insufficient additional funds available from the residential energy efficiency loan program. As of March 31, 2023, the outstanding balance of the bonds totaled \$7.3 million and the balance in the Collateral Reserve account was \$2.6 million.

Periodically, the Corporation is involved with legal actions, claims and/or investigations arising in the ordinary course of business. In the opinion of management, as of March 31, 2023, the ultimate disposition of any such matters will not have a material adverse effect, if any, on the Corporation's net position, changes in net position, or liquidity.

(13) Subsequent Events

The Corporation has evaluated subsequent events from the statement of net position date of March 31, 2023 through _____, _____, the date at which the basic financial statements were available to be issued.

On May 18, 2023, EFC issued \$150,960,000 of New York State Environmental Facilities Corporation State Clean and Drinking Water Revolving Fund Revenue Bonds, Series 2023A (2010 Master Financing Program). The 2023A bonds have interest rates of 5.00% a final maturity of May 15, 2043.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Required Supplemental Information

Schedule of Proportionate Share of the Net Pension Liability – New York State and
Local Employees' Retirement System Pension Plan (Unaudited)

March 31, 2023

| | <u>2023</u> | <u>2022</u> | <u>2021</u> | <u>2020</u> | <u>2019</u> | <u>2018</u> |
|--|-------------|-------------|-------------|-------------|-------------|-------------|
| Share of net pension liability | 0.2688490 % | 0.0266047 % | 0.0309794 % | 0.0334003 % | 0.0331066 % | 0.0310347 % |
| Proportionate share of the net pension liability (asset) \$ | (2,197,707) | 26,491 | 8,203,519 | 2,366,512 | 1,068,497 | 2,916,092 |
| Covered payroll | 8,417,325 | 8,201,732 | 8,181,673 | 8,609,034 | 8,936,103 | 8,907,716 |
| Proportionate share of the net pension liability (asset) as a percentage of its covered payroll | (26.1)% | 0.3 % | 100.3 % | 27.5 % | 12.0 % | 32.7 % |
| Plan fiduciary net position as a percentage of the total pension liability | 103.7 % | 100.0 % | 86.4 % | 100.4 % | 98.2 % | 94.7 % |

Measurement date is as of the respective March 31 of the previous year.

Note: This schedule is intended to show information for ten years. Additional years will be displayed as they become available.

See accompanying independent auditors' report.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**

(A Component Unit of the State of New York)

Required Supplemental Information

Schedule of Employer Contributions – New York State and
Local Employees' Retirement System Pension Plan (Unaudited)

March 31, 2023

| | <u>2023</u> | <u>2022</u> | <u>2021</u> | <u>2020</u> | <u>2019</u> | <u>2018</u> |
|---|----------------|------------------|------------------|------------------|------------------|------------------|
| Contractually required contribution | \$ 902,247 | 1,311,796 | 1,154,850 | 1,250,737 | 1,308,955 | 1,282,460 |
| Contributions in relation to the contractually required contribution | <u>902,247</u> | <u>1,311,796</u> | <u>1,154,850</u> | <u>1,250,737</u> | <u>1,308,955</u> | <u>1,282,460</u> |
| Contribution deficiency (excess) | \$ <u>—</u> | <u>—</u> | <u>—</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| Covered payroll | \$ 9,527,997 | 8,417,325 | 8,201,732 | 8,181,673 | 8,609,034 | 8,936,103 |
| Contributions as a percentage of covered payroll | 9.5 % | 15.6 % | 14.1 % | 15.3 % | 15.2 % | 14.4 % |

Note: This schedule is intended to show information for ten years. Additional years will be displayed as they become available.

See accompanying independent auditors' report.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Required Supplemental Information

Schedule of Changes in Net OPEB Liability and Related Ratios

March 31, 2023

| | <u>2023</u> | <u>2022</u> | <u>2021</u> | <u>2020</u> |
|--|----------------------|-------------------|-------------------|-------------------|
| Total OPEB liability: | | | | |
| Service cost | \$ 1,590,183 | 1,608,713 | 1,528,793 | 1,484,265 |
| Interest on total OPEB liability | 1,219,291 | 1,139,672 | 1,904,428 | 1,830,021 |
| Effect of plan changes | — | — | — | — |
| Effect of liability gains and losses | (11,995,774) | — | (11,764,637) | (145,003) |
| Effect of assumption changes or inputs | (848,774) | (1,160,345) | 9,127,656 | 856,108 |
| Benefit payments | <u>(1,065,060)</u> | <u>(878,044)</u> | <u>(960,169)</u> | <u>(763,330)</u> |
| Net change in total OPEB liability | (11,100,134) | 709,996 | (163,929) | 3,262,061 |
| Total OPEB liability-beginning | <u>49,746,118</u> | <u>49,036,123</u> | <u>49,200,052</u> | <u>45,937,991</u> |
| Total OPEB liability-ending | <u>\$ 38,645,984</u> | <u>49,746,119</u> | <u>49,036,123</u> | <u>49,200,052</u> |
| Covered employee payroll | \$ 8,417,375 | 8,201,732 | 8,181,673 | 8,609,034 |
| Net OPEB liability as a percentage of covered employee payroll | 459 % | 607 % | 599 % | 571 % |

Measurement date is as of March 31 of the previous year.

Note: This schedule is intended to show information for ten years.

Additional years will be displayed as they become available.

See accompanying independent auditors' report.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of New York State)

Other Supplementary Information – Combining Schedule of Net Position

March 31, 2023

| Assets and Deferred Outflows of Resources | Corporate activities | CWSRF | DWSRF | Total |
|---|-------------------------|----------------|---------------|----------------|
| Current assets: | | | | |
| Cash and cash equivalents | \$ 25,556,210 | — | — | 25,556,210 |
| Contractual services and fees receivable | 1,921,991 | — | — | 1,921,991 |
| Restricted assets: | | | | |
| Cash and cash equivalents | — | 392,248,161 | 216,616,266 | |
| Interest receivable on bonds and direct financings | — | 61,170,897 | 14,385,673 | 75,556,570 |
| Interest receivable on cash and cash equivalents and investments | 596,093 | 17,519,168 | 2,712,825 | 20,828,086 |
| Annual fees receivable | — | | 1,288,240 | |
| Prepaid expense | — | | 65,000 | 608,864,427 |
| Short-term financings receivable | — | | 42,251,485 | |
| Direct financing receivable | — | | 33,204,797 | 131,225,119 |
| Bonds receivable | — | 12,501,156 | 73,731,468 | 13,789,396 |
| Other restricted funds | 262,909 | 191,487,787 | — | 262,909 |
| Total current assets | 28,337,203 | 98,020,321 | 384,255,754 | 1,512,681,713 |
| Noncurrent assets: | | | | |
| Restricted assets: | | | | |
| Investments | — | 1,804,571,807 | 248,814,609 | 2,053,386,416 |
| Short-term financings receivable | — | | 113,757,547 | |
| Direct financings receivable | — | 2,568,996,295 | 746,708,969 | |
| Bonds receivable | — | | 1,193,919,169 | |
| Total noncurrent assets | — | 353,314,381 | 2,303,200,294 | 467,071,981 |
| Total assets | 28,337,203 | 5,111,635,472 | 2,687,456,048 | 6,305,554,641 |
| Deferred outflows of resources related to pensions and OPEB liability | 1,351,423 | 8,025,868 | 1,737,055 | 11,114,346 |
| Total assets and deferred outflow of resources | \$ 29,688,626 | 10,946,632,579 | 2,689,193,103 | 13,665,514,308 |

See accompanying independent auditors' report.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of New York State)

Other Supplementary Information – Combining Schedule of Net Position

March 31, 2023

| Liabilities, Deferred Inflows of Resources and Net Position | Corporate activities | CWSRF | DWSRF | Total |
|--|-------------------------|---------------|---------------|---------------|
| Current liabilities: | | | | |
| Accrued interest payable on bonds | \$ — | 52,738,722 | 14,188,995 | 66,927,717 |
| Accrued interest subsidy | — | 24,149,142 | 2,366,284 | 26,515,426 |
| Bonds payable | — | 263,595,000 | 62,370,000 | 325,965,000 |
| Other restricted funds | 262,909 | — | — | 262,909 |
| Accounts payable and accrued expenses | 11,213,913 | 12,777,468 | 2,543,587 | 26,534,968 |
| Interfund balances | (1,169,030) | 959,168 | 209,862 | — |
| Debt service funds payable | — | 4,302,243 | 830,032 | 5,132,275 |
| Other liabilities | (452,767) | 110,061,151 | 33,138,887 | 142,747,271 |
| Other post-employment benefits | 211,754 | 804,666 | 42,351 | 1,058,771 |
| Total current liabilities | 10,066,779 | 469,387,560 | 115,689,998 | 595,144,337 |
| Noncurrent liabilities: | | | | |
| Bonds payable | — | 4,170,828,141 | 1,121,771,359 | 5,292,599,500 |
| Other post-employment benefits | 5,412,886 | 25,611,892 | 6,562,436 | 37,587,214 |
| Total noncurrent liabilities | 5,412,886 | 4,196,440,033 | 1,128,333,795 | 5,330,186,714 |
| Total liabilities | 15,479,665 | 4,665,827,593 | 1,244,023,793 | 5,925,331,051 |
| Deferred inflows of resources related to pensions and OPEB liability | 4,340,134 | 17,678,170 | 4,373,540 | 26,391,844 |
| Total liabilities and deferred inflows of resources | 19,819,799 | 4,683,505,763 | 1,248,397,333 | 5,951,722,895 |
| Net position: | | | | |
| Restricted for revolving loan fund programs | — | 6,263,126,816 | 1,440,795,770 | 7,703,922,586 |
| Unrestricted | 9,868,827 | — | — | 9,868,827 |
| Total net position | \$ 9,868,827 | 6,263,126,816 | 1,440,795,770 | 7,713,791,413 |

See accompanying independent auditors' report.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of New York State)

Other Supplementary Information – Combining Schedule of Revenues, Expenses, and Changes in Net Position

Year ended March 31, 2023

| | Corporate activities | CWSRF | DWSRF | Total |
|---|---------------------------------|----------------------|----------------------|----------------------|
| Operating revenues: | | | | |
| Interest income on bonds and direct financings receivable | \$ — | 196,659,835 | 50,209,438 | 246,869,273 |
| Bond financing and administrative fees | 77,000 | 13,728,623 | 4,522,853 | 18,328,476 |
| Administrative grant revenues | 36,600 | 5,173,053 | 1,144,720 | 6,354,373 |
| Indirect cost and other recoveries | 1,912,994 | (1,484,548) | (428,446) | — |
| Contract service fees | 12,235 | — | — | 12,235 |
| Other revenues | 9,925 | — | — | 9,925 |
| Total operating revenues | <u>2,048,754</u> | <u>214,076,963</u> | <u>55,448,565</u> | <u>271,574,282</u> |
| Operating expenses: | | | | |
| Interest expense on bonds payable | — | 182,684,380 | 48,386,949 | 231,071,329 |
| Interest subsidy provided | — | 51,626,988 | 4,343,337 | 55,970,325 |
| Administrative costs | 2,950,158 | 8,816,690 | 2,695,307 | 14,462,155 |
| Total operating expenses | <u>2,950,158</u> | <u>243,128,058</u> | <u>55,425,593</u> | <u>301,503,809</u> |
| Operating loss | <u>(901,404)</u> | <u>(29,051,095)</u> | <u>22,972</u> | <u>(29,929,527)</u> |
| Nonoperating revenues: | | | | |
| Project grant revenues | — | 387,044,390 | 38,953,681 | 425,998,071 |
| Investment income | 2,336,182 | 33,261,480 | 1,672,559 | 37,270,221 |
| State assistance payments revenue | 8,041,112 | 66,991,999 | 90,387,645 | 165,420,756 |
| Total nonoperating revenues | <u>10,377,294</u> | <u>487,297,869</u> | <u>131,013,885</u> | <u>628,689,048</u> |
| Nonoperating expenses: | | | | |
| Grants disbursed | — | 61,122,233 | 7,564,137 | 68,686,370 |
| State assistance payments expense | 8,041,112 | 66,991,999 | 90,387,645 | 165,420,756 |
| Total nonoperating expenses | <u>8,041,112</u> | <u>128,114,232</u> | <u>97,951,782</u> | <u>234,107,126</u> |
| Increase in net position | 1,434,778 | 330,132,542 | 33,085,075 | 364,652,395 |
| Beginning net position | <u>8,434,049</u> | <u>5,932,994,274</u> | <u>1,407,710,695</u> | <u>7,349,139,018</u> |
| Ending net position | <u>\$ 9,868,827</u> | <u>6,263,126,816</u> | <u>1,440,795,770</u> | <u>7,713,791,413</u> |

See accompanying independent auditors' report.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**

(A Component Unit of New York State)

Other Supplementary Information – Combining Schedule of Cash Flows

Year ended March 31, 2023

| | Corporate activities | CWSRF | DWSRF | Total |
|---|---------------------------------|---------------|---------------|-----------------|
| Cash flows from operating activities: | | | | |
| Bond financing and administrative fees | \$ 160,967 | 17,229,568 | 5,120,463 | 22,510,998 |
| Personal services expense | (1,946,299) | (5,823,035) | (1,658,486) | (9,427,820) |
| Fringe benefits expense | (169,937) | (1,982,417) | (432,080) | (2,584,434) |
| Other administrative expenses | (731,445) | (6,625,329) | (2,205,092) | (9,561,866) |
| Other, net | 1,792,724 | 45,924,974 | 9,848,616 | 57,566,314 |
| Net cash provided by operating activities | (893,990) | 48,723,761 | 10,673,421 | 58,503,192 |
| Cash flows from noncapital financing activities: | | | | |
| Proceeds from bonds issued | — | 566,750,000 | | 739,780,000 |
| Payments on bonds payable | — | (471,510,041) | (58,848,913) | (530,358,954) |
| Interest paid on bonds payable | — | (183,608,840) | (47,758,802) | (231,367,642) |
| Grants disbursed | — | (61,122,233) | (7,564,137) | (68,686,370) |
| Contributions received from the U.S. EPA | — | 334,558,554 | 34,312,292 | 368,870,846 |
| Contributions received from New York State | — | 52,485,836 | 4,641,389 | 57,127,225 |
| Net cash provided by noncapital financing activities | — | 237,553,276 | 97,811,829 | 335,365,105 |
| Cash flows from investing activities: | | | | |
| Net proceeds from maturities of investments | — | (121,710,117) | 38,526,112 | (83,184,005) |
| Interest income on investments | 1,740,089 | 28,690,826 | 414,663 | 30,845,578 |
| Bonds purchased | — | (841,900,688) | (218,304,609) | (1,060,205,297) |
| Bonds repayments received | — | 536,063,802 | 71,766,857 | 607,830,659 |
| Short-term financing disbursements | — | (789,211,461) | (188,241,038) | (977,452,499) |
| Short-term financing repayments received | — | 1,310,546,911 | 328,430,479 | 1,638,977,390 |
| Direct financings issued | — | (592,115,636) | (85,436,138) | (677,551,774) |
| Direct financing repayments received | — | 230,582,922 | 39,203,412 | 269,786,334 |
| Interest income on bonds and direct financings receivable | — | 192,241,135 | 49,670,226 | 241,911,361 |
| Interest subsidy provided | — | (52,595,334) | (4,269,047) | (56,864,381) |
| Debt service funds received | — | 1,439,829 | 714,511 | 2,154,340 |
| Debt service funds paid | — | (1,846,770) | (400,159) | (2,246,929) |
| Net cash used in investing activities | 1,740,089 | (99,814,581) | 32,075,269 | (65,999,223) |
| Net increase in cash and cash equivalents | 846,099 | 186,462,456 | 140,560,519 | 327,869,074 |
| Cash and cash equivalents, beginning of year | 24,710,111 | 205,785,705 | 76,055,747 | 306,551,563 |
| Cash and cash equivalents, end of year | \$ 25,556,210 | 392,248,161 | 216,616,266 | 634,420,637 |

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**

(A Component Unit of New York State)

Other Supplementary Information – Combining Schedule of Cash Flows

Year ended March 31, 2023

| | Corporate activities | CWSRF | DWSRF | Total |
|--|---------------------------------|-------------------|-------------------|-------------------|
| Reconciliation of operating gain (loss) to net cash (used in) provided by operating activities: | | | | |
| Operating gain (loss) | \$ (901,404) | (29,051,095) | 22,972 | (29,929,527) |
| Adjustments to reconcile operating gain (loss) to net cash (used in) provided by operating activities: | | | | |
| Interest income on bonds and direct financings receivable | — | (196,659,835) | (50,209,438) | (246,869,273) |
| Interest expense | — | | 48,386,949 | 231,071,329 |
| Interest subsidy provided | — | 51,626,988 | 4,343,337 | 55,970,325 |
| Changes in assets and liabilities that provide (use) cash: | | | | |
| Contractual services and fees receivable | (1,877,862) | 182,684,380 | — | (1,877,862) |
| Annual fees receivable | — | (187,560) | (118,664) | (306,224) |
| Accounts payable and accrued expenses | 2,389,326 | 1,267,744 | 331,103 | 3,988,173 |
| Interfund balances | (409,658) | 344,947 | 64,711 | — |
| Other liabilities | 2,192,454 | 45,580,027 | 9,783,904 | 57,556,385 |
| Other post-employment benefits | (2,286,846) | (6,881,835) | (1,931,453) | (11,100,134) |
| Net cash provided by operating activities | \$ <u>(893,990)</u> | <u>48,723,761</u> | <u>10,673,421</u> | <u>58,503,192</u> |

See accompanying independent auditors' report.

INFORMATION SUMMARY

Action

Review and approval of the Investment Guidelines of the Corporation and the annual Investment Report.

Additional Information

The Corporation is required by the provisions of Section 2925 of the Public Authorities Law to annually review and approve its Investment Guidelines, and to approve an annual Investment Report.

RESOLUTION NO. [2978]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION WITH RESPECT TO THE ANNUAL REVIEW
AND APPROVAL OF THE INVESTMENT GUIDELINES AND THE
INVESTMENT REPORT OF THE CORPORATION**

WHEREAS, the Corporation is required by the provisions of Section 2925 of the Public Authorities Law to adopt and to annually review and approve its Investment Guidelines, and to prepare and approve an Investment Report; and

WHEREAS, the Board of Directors hereby determines that the Corporation's Investment Guidelines are consistent with Title 2, Section 201.3 of the New York Code of Rules and Regulations ("Investment Guidelines for Public Authorities"); and

WHEREAS, the Board of Directors desires to approve the Investment Guidelines and the Investment Report as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

Section 1. The Investment Guidelines of the Corporation, dated June 22, 2023, a copy of which is annexed hereto as Exhibit A and made a part hereof, are hereby approved.

Section 2. The Corporation's Investment Report, a copy of which is annexed hereto as Exhibit B and made a part hereof, is hereby approved.

Section 3. This Resolution shall take effect immediately.

Exhibit A

New York State Environmental Facilities Corporation Investment Guidelines

New York State Environmental Facilities Corporation Investment Guidelines

June 22, 2023

I. INTRODUCTION

These Investment Guidelines (the “Guidelines”) set forth the policy of the New York State Environmental Facilities Corporation (“EFC”) regarding (a) the investment of EFC funds and other funds under EFC’s direction and (b) the monitoring and reporting of all invested funds. The Guidelines also provide procedures to ensure all investments are duly authorized, properly and prudently managed, and adequately safeguarded.

The Guidelines are intended to ensure that EFC policy conforms to Public Authorities Law (“PAL”) Sections 1284 (4), 1285-j(6), 1285-m(6) and 2925. In addition, these Guidelines are designed to meet the requirements of the Office of State Comptroller’s Investment Guidelines for Public Authorities contained in Title 2, Section 201.3 of the New York Code of Rules and Regulations.

In accordance with PAL Section 2925, the Guidelines will be reviewed periodically, revised as necessary, and approved as frequently as necessary and appropriate, but not less frequently than annually.

II. INVESTMENT OBJECTIVES

The investment objectives of EFC, in priority order, are as follows: (1) compliance with all applicable federal, and State legal requirements; (2) minimization of capital risk; (3) realization of liquidity sufficient to meet the purposes for which funds are being held (the cash flow requirements of the project or fund must be the primary determining factor in evaluating the liquidity of funds securing or required by such project or fund); and (4) maximization of total return to EFC. To the extent practicable, EFC officers and staff are required to seek diversification of deposits and investments by financial institution, investment instrument, and maturity consistent with prudent cash and investment practices.

III. APPLICATION

These Guidelines apply to the investment of monies held by EFC in, or in connection with, the following accounts or programs:

- (1) the Clean Water State Revolving Fund (“CWSRF”) and the Drinking Water State Revolving Fund (“DWSRF”);
- (2) the Restricted and Corporate Funds; and
- (3) the Industrial Finance Program.

The provisions of these Guidelines do not apply to the purchase of recipient bonds and notes acquired solely in connection with financial assistance made available to recipients from

an EFC program and the holding of such recipient bonds related thereto, including any such bonds and notes which may be pledged as security for the EFC's bonds or notes.

IV. CLEAN WATER STATE REVOLVING FUND ("CWSRF") AND DRINKING WATER STATE REVOLVING FUND ("DWSRF")

1. General Statement

The Legislature has established the CWSRF and the DWSRF in the custody of EFC. Funds on deposit in the SRF's require certainty with respect to the level of interest rate subsidy provided to recipients, which is accomplished through the proper management of program funds.

Investment of funds in the CWSRF and the DWSRF are subject to investment limitations as set forth in the Public Authorities Law. These statutory limitations are intended to ensure that investments are prudently managed and adequately safeguarded.

2. Permitted Investments

These Guidelines adhere to the limitations imposed by statute, such as those set forth in General Municipal Law Section 10 requiring that investments be rated by a nationally recognized rating agency in one of its two highest rating categories at the time of any purchase. In addition, there are provisions reflecting EFC's commitment to minimize risk while maximizing return, and to promote assistance to recipients in the form contemplated by the programs.

Subject to Section IV .3 below, and consistent with statutory requirements, funds on deposit in the CWSRF and the DWSRF, may be invested in the following:

(a) Direct obligations of the United States, an agency thereof or a United States government sponsored corporation;

(b) Direct obligations of the State of New York (the "State");

(c) Obligations the principal and interest of which are fully guaranteed by the State or the United States, an agency of the United States or a United States government sponsored corporation;

(d) Obligations issued by a municipal corporation, school district or district corporation of the State or obligations of any public benefit corporation which under State statute may be accepted as security for deposit of public moneys;

(e) Obligations of State domestic corporations;

(f) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity;

(g) Deposits with banks or trust companies, provided such deposits are secured by direct obligations of the United States or the State, or obligations the principal and interest of which are guaranteed by the United States or the State or as otherwise permitted by law;

(h) Investment agreements (including investment agreements in the form of repurchase agreements) entered into with insurance or reinsurance companies, or with their corporate affiliates, banks, trust companies, or brokers or dealers (as defined in Securities Exchange Act of 1934) who are dealers in governmental bonds, which report to, trade with and are recognized as a primary dealer by the Federal Reserve Bank and who are members of the Securities Investor Protection Corporation, provided that

(i) such agreements are secured by obligations of the types referred to in (a), (b) or (c) above or as otherwise permitted by law;

(ii) such obligations are delivered to a trustee for the benefit of EFC or, with respect to monies pledged under an indenture of trust relating to bonds or notes of EFC, to the trustee under such indenture, or are supported by a safekeeping receipt issued by a depository satisfactory to EFC, as applicable;

(iii) such agreements provide that the value of the underlying obligations must be maintained at a current market value of not less than 102% of the amount currently on deposit by EFC under such agreements plus accrued interest, calculated no less frequently than monthly, except for such agreements in amounts greater than \$10,000,000, which shall be calculated no less frequently than weekly;

(iv) a prior perfected security interest in such obligations has been granted to EFC, as applicable; and

(v) such obligations are free and clear of adverse third party claims; and

(i) Money market funds for the purpose of earning interest thereon until such time that it becomes practicable or desirable to invest such amounts in other investments permitted hereunder provided that such money market funds limit investments to obligations issued and guaranteed by the United States of America or in obligations of agencies or instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America and repurchase agreements secured by such obligations; and

(j) Obligations otherwise permitted by law.

3. Special Requirements

(a) Construction Funds of Recipients

As part of the CWSRF and the DWSRF programs, EFC intends, without limitation, to issue revenue bonds ("Bonds"), and then use the proceeds thereof to purchase bonds or notes of, or otherwise provide financial assistance to, municipalities and other recipients for the construction of eligible projects.

To the extent that proceeds of any such Bonds are deposited either in a separate recipient construction fund or allocated as a recipient's portion of an investment in a construction fund, such proceeds so deposited will be invested by EFC as permitted by Section IV.2 above, but subject to any applicable provisions of the General Municipal Law or the Local Finance Law governing the investment of proceeds of such recipient's bonds.

(b) Debt Service Reserve Funds

As determined by EFC, for certain financial assistance provided from either the CWSRF or DWSRF, EFC may establish, from federal capitalization grants and State matching funds or other available CWSRF and DWSRF assets, a Debt Service Reserve Fund. Any investment earnings on such Fund may be used to provide an interest subsidy to the financial assistance recipient, as determined by EFC.

(i) The following elements will be considered in selecting a Debt Service Reserve Fund investment vehicle:

- ability to generate a guaranteed rate of return;
- ability to withdraw funds on a short time frame, and without penalty, in the event of a default on the related financial assistance; and
- maturities of investments matched to or not later than the scheduled pay-down of the financial assistance, so that monies released from the Debt Service Reserve Fund may be re-applied for new financial assistance or other permitted program uses as such financial assistance is retired.

(ii) If an investment agreement is utilized to invest monies in a Debt Service Reserve Fund, the following minimum standards will be required:

- annual redemption of a portion of the monies;
- no penalty for withdrawal to avoid or cure a bond default;
- replenishment of funds withdrawn because of a default;
- collateralized by obligations of the type referred to in Section IV.2

above at not less than 102%; and

- valuation of collateral as set forth in Section IV.2(h)(iii) above.

V. RESTRICTED AND CORPORATE FUNDS

1. Authorization and Management

Restricted and Corporate Funds subject to these Guidelines may be held and invested by EFC directly or, in the alternative (subject to any limitations or restrictions contained herein), may be transferred to the Commissioner of Taxation and Finance (the "Commissioner") for investment on behalf of EFC. In the latter case, the Commissioner shall act as investment manager for EFC and shall not commingle EFC funds so transferred with any other funds or monies. EFC funds transferred to the Commissioner shall be invested in separate investment accounts, as directed by EFC. Monies in such accounts shall be paid out to EFC on checks signed by the Commissioner on written requisition of either the President, the Chief Financial Officer, or the Executive Vice President of EFC.

2. Permitted Investments

- (a) Interest Bearing Bank Deposits
- (b) Certificates of Deposit
- (c) Investment Obligations
- (d) Repurchase Agreements with Banks
- (e) State or State Guaranteed Obligations
- (f) Insured Money Market Funds, or
- (g) Investments otherwise permitted by law

Investments with banking institutions of Restricted and Corporate Funds in excess of \$1,000,000 per account shall require competitive bidding through telephone solicitation of at least three banks.

An investment of \$1,000,000 or more may be established and maintained with the competitively selected banking institution, provided all collateralization requirements are met and prevailing market rates are quoted.

All bank deposits are to be continuously and fully secured by direct obligations of the United States or obligations the principal and interest of which are guaranteed by the United States, State Obligations or State Guaranteed Obligations. Additionally, in the case of funds of any municipality, bank deposits may, in the alternative, be continuously and fully secured by obligations of any municipality, school district or district corporation of the State of a market value equal to 102% of the amount of the deposit plus accrued interest.

For purposes of this Section V. "Investment Obligations" shall be defined as obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation. "State Obligations" mean general

obligations of the State and "State Guaranteed Obligations" are obligations the principal and interest of which are guaranteed by the State.

VI. INDUSTRIAL FINANCE PROGRAM

PAL Section 1285-(b) and related provisions authorize EFC to extend credit and financial assistance to recipients to finance certain pollution control, solid waste and water management projects. Under its Industrial Finance Program, EFC issues special obligation revenue bonds, the proceeds of which are loaned to clients to finance pollution control, solid waste and water management projects. These non-recourse bonds are not a debt of or recourse against the credit of EFC or the State. The client and the project are generally the only sources of revenue for payment of the principal, redemption premium, if any, and interest on the loans.

The proceeds are deposited with a trustee and generally are not available for investment by EFC. Usually, the indenture of trust agreement between EFC and the trustee will contain a list of securities in which the trustee may invest the proceeds at the direction of the client. However, in some instances, the client may request EFC to act as its agent in accordance with the terms of the applicable financing indenture.

Accordingly, the provisions of these Guidelines do not apply to the investing of these monies. However, each trustee bank may be required to file a report in accordance with the respective indenture of trust to EFC which outlines the investments made for the respective industrial client. Notwithstanding the above, for those instances where the client has requested EFC to act as its agent, EFC will follow these Guidelines as they relate to Restricted and Corporate Funds, unless otherwise directed by the client.

VII. INVESTMENT ADMINISTRATION PROCEDURES

1. Operating Procedures

(a) The authorization, accounting and custodial functions related to investments will be performed by separate individuals within EFC.

(b) The Chief Financial Officer, Director of Public Finance or the Director of Equity Finance shall review and provide written approval of investment transactions initiated by EFC personnel, or in their absence, then the President shall review and provide written approval of such investment transactions. Evidence of this approval will be made on the investment control sheet. The Controller shall also confirm that EFC's books and records accurately reflect investment holdings resulting from such transactions. Master contracts will be reviewed by the General Counsel or their designated Counsel and approved by the President, Chief Financial Officer, the Executive Vice President, or the Director of Public Finance.

(c) EFC's demand deposits shall be held in interest bearing accounts.

(d) Collateral on any secured investment or deposit shall be delivered to a trustee or depository and held in EFC's name.

(e) Banks providing securities in EFC's name as collateral for investments may substitute collateral types, consistent with these Guidelines.

(f) There shall be a marked-to-market review of all pledged collateral minimally on a monthly basis.

(g) EFC will require advices or written contracts from the institutions in which investments are made. The advices should outline and confirm the terms of the investment or deposit.

(h) Repurchase agreements entered into with broker dealers shall be subject to the terms of a master repurchase agreement which outlines the basic rights of both buyer and seller as specified by the Investment Guidelines for Public Authorities, Title 2, Section 201.3(c)(5)(C) of the New York Code of Rules and Regulations.

(i) EFC shall establish an approved list of qualified, competitively selected investment counterparties to transact business with EFC, as determined by the President or such other person as the President may designate in writing. Each approved investment counterparty shall maintain a minimum capital requirement of \$10,000,000 and shall have been in continuous operation for a minimum of five (5) years. Only EFC personnel designated in writing by the President are authorized to purchase, sell and/or deal in permitted investments with such investment counterparties.

2. Reporting Requirements

(a) The Chief Financial Officer, the Director of Public Finance or the Controller shall prepare and submit to the Audit Committee of EFC's Board of Directors a quarterly inventory of investments.

(b) The Chief Financial Officer, the Director of Public Finance or the Controller shall prepare and submit to the Board of Directors an annual investment report which includes: these Guidelines; the result of the annual independent audit; the investment income record; and a list of total fees, commissions or other charges paid to each bank. The report shall also be submitted to the Division of the Budget and copies thereof shall be submitted to the Office of the State Comptroller, the Senate Finance Committee and the Assembly Ways and Means Committee. Copies of the report will also be made available to the public upon request.

3. Audit Procedures

(a) A review of compliance with the Investment Guidelines and related procedures shall be part of the annual independent audit. This shall include confirmation letters from each bank verifying EFC deposits as well as the obligations securing such deposits.

(b) The Chief Financial Officer, the Director of Public Finance or the Controller will examine EFC's investment practices and controls at least once a year

and report the findings to the Board of Directors as part of the annual investment report.

Exhibit B

New York State Environmental Facilities Corporation
Investment Report

**New York State Environmental Facilities Corporation
Investment Report**

June 22, 2023

In accordance with the New York State Environmental Facilities Corporation Investment Guidelines, the Chief Financial Officer, the Director of Public Finance or the Controller are charged to prepare and submit annually to the Board of Directors the following materials. A status of each is set forth herein.

1. The Investment Guidelines

The Investment Guidelines are attached to Resolution No. 2911 as Exhibit A and were last reviewed and approved by the Board of Directors on June 13, 2022.

2. The Result of the Annual Independent Audit

At its June 22, 2023 meeting, the Board of Directors will consider adopting a resolution accepting the draft financial statements of the Corporation for the fiscal year ending March 31, 2023 ("Annual Audit").

3. The Investment Income Record

The investment income is listed as a line item in the Draft Statement of Revenues, Expenses and Changes in Net Position in the Annual Audit. A copy of this statement is attached hereto.

4. A List of Total Fees, Commissions or Other Charges Paid to Each Bank

There were no fees, commissions or other charges paid during the reporting period.

5. A Quarterly Inventory of Investments

The quarterly investment report for the period ending March 31, 2023 is attached hereto.

**NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION**
(A Component Unit of the State of New York)

Statement of Revenues, Expenses, and Changes in Net Position

Year ended March 31, 2023

| | |
|---|--------------------------------|
| Operating revenues: | |
| Interest income on bonds and direct financings receivable | \$ 246,869,273 |
| Bond financing and administrative fees | 18,328,476 |
| Administrative grant revenues | 6,354,373 |
| Contract service fees | 12,235 |
| Other revenues | 9,925 |
| | <u>271,574,282</u> |
| Total operating revenues | <u>271,574,282</u> |
| Operating expenses: | |
| Interest expense on bonds payable | 231,071,329 |
| Interest subsidy provided | 55,970,325 |
| Administrative costs | 14,462,155 |
| | <u>301,503,809</u> |
| Total operating expenses | <u>301,503,809</u> |
| Operating loss | <u>(29,929,527)</u> |
| Nonoperating revenues: | |
| Project grant revenues | 425,998,071 |
| Investment income | 37,270,221 |
| State assistance payments revenue | 165,420,756 |
| | <u>628,689,048</u> |
| Total nonoperating revenues | <u>628,689,048</u> |
| Nonoperating expenses: | |
| Grants disbursed | 68,686,370 |
| State assistance payments expense | 165,420,756 |
| | <u>234,107,126</u> |
| Total nonoperating expenses | <u>234,107,126</u> |
| Increase in net position | 364,652,395 |
| Beginning net position | <u>7,349,139,018</u> |
| Ending net position | <u><u>\$ 7,713,791,413</u></u> |

See accompanying notes to basic financial statements.

NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION
QUARTERLY INVESTMENT REPORT
PERIOD ENDING MARCH 31, 2023

CORPORATE INVESTMENTS

KEY BANK

| | |
|---------------------------|-------------------|
| Deposits | |
| Checking | 17,417,004 |
| Petty Cash | 100 |
| Money Market | 262,909 |
| Certificates of Deposit | |
| Total | <u>17,680,013</u> |
| Collateral - Market Value | 20,991,030 |
| Percent Collateralized | 119 |

STATE REVOLVING FUND - CASH

| ACCOUNT | CW | DW | TOTAL |
|----------------------------|-------|----|-------|
| DEBT SERVICE FUNDS | 1,399 | | 1,399 |
| CONSTRUCTION FUNDS | | | - |
| DEBT SERVICE RESERVE FUNDS | | | - |
| UNALLOCATED EQUITY | 1 | | 1 |
| COLLECTION ACCOUNT | | | - |
| YIELD REDUCTION | | | - |
| ADMINISTRATIVE EXPENSE | | | - |
| ADMINISTRATIVE EXPENSE SUB | | | - |
| LT UNAL INVESTMENTS | | | - |
| TERM LOAN MATCH PROCEEDS | | | - |
| MWQIP FUND | | | - |
| EMERGING CONTAMINANTS | | | - |
| COST OF ISSUANCE | | | - |
| TOTAL | 1,400 | - | 1,400 |

STATE REVOLVING FUND - MONEY MARKET

| ACCOUNT | CW | DW | TOTAL |
|----------------------------|-------------|------------|-------------|
| DEBT SERVICE FUNDS | 16,446,810 | 5,492,129 | 21,938,939 |
| CONSTRUCTION FUNDS | 42,776,727 | 4,466,599 | 47,243,326 |
| DEBT SERVICE RESERVE FUNDS | 128,066 | | 128,066 |
| UNALLOCATED EQUITY | 85,903,519 | 23,178,837 | 109,082,356 |
| 2017D UNALLOCATED | | | - |
| COLLECTION ACCOUNT | 14,630,220 | 19,045,419 | 33,675,639 |
| YIELD REDUCTION | 1,021,558 | 510,779 | 1,532,337 |
| ADMINISTRATIVE EXPENSE | 19,588,627 | 7,076,132 | 26,664,759 |
| ADMINISTRATIVE EXPENSE SUB | 7,314,856 | | 7,314,856 |
| NYS WATER GRANTS | 11,259,009 | 5,507,738 | 16,766,747 |
| TERM LOAN MATCH PROCEEDS | 5,186,585 | | 5,186,585 |
| EFC EMERGENCY FINANCE | 7,000,000 | | 7,000,000 |
| GIGP FUND | 630,282 | | 630,282 |
| IMG FUND | 16,300,505 | | 16,300,505 |
| MWQIP FUND | 4,471,043 | | 4,471,043 |
| EMERGING CONTAMINANTS | | 24,087,410 | 24,087,410 |
| SEPTIC FUND | 3,201,716 | | 3,201,716 |
| COST OF ISSUANCE | 21,699 | | 21,699 |
| NON IUP UNALLOCATED | | 220,150 | 220,150 |
| ASSET MANAGEMENT | 614,755 | | 614,755 |
| TOTAL | 236,495,977 | 89,585,193 | 326,081,170 |

STATE REVOLVING FUND - U.S. GOVERNMENT SECURITIES

| SERIES | ARB RATE | ACCOUNT | TYPE | COUPON | CW | DW | TOTAL |
|---------------------|----------|---------|------|---------|------------------|-------------|---------------|
| 2017A/2007C | 2.7980 | DSR | TB | 0.00 | 4,054,434 | | 4,054,434 |
| 2022B | 4.0786 | DSF | TB | 0.00 | | | - |
| | | CON | FHLB | 0.00 | 14,801,604 | | 14,801,604 |
| | | CON | TB | 0.00 | 51,024,003 | | 51,024,003 |
| | | | | | | | |
| ADMIN EXP | | | TB | 0.00 | 99,532,031 | 29,965,235 | 129,497,266 |
| | | | FHLB | Various | | | - |
| | | | | | | | |
| MWQIP | | | FHLB | 0.00 | 4,933,868.00 | | 4,933,868 |
| | | | TB | 0.00 | 44,087,202.00 | | 44,087,202 |
| | | | | | | | |
| UNALLOCATED EQUITY | | | FHLB | Various | 414,280,078 | 55,254,112 | 469,534,190 |
| UNALLOCATED EQUITY | | | TB | 0.00 | 464,147,217 | 186,697,921 | 650,845,138 |
| | | | | | | | |
| NON IUP UNALLOCATED | | | TB | 0.00 | | 10,725,837 | 10,725,837 |
| | | | | | | | |
| TOTAL | | | | | 1,096,860,437.00 | 282,643,105 | 1,379,503,542 |

STATE REVOLVING FUND - OTHER PERMITTED SECURITIES

| SERIES | ARB RATE | ACCOUNT | TYPE | COUPON | CW | DW | TOTAL |
|---------|----------|----------------------|-------|-----------|-------------|------------|-------------|
| VARIOUS | VARIOUS | DSR | TVA | 2.65-3.77 | 186,454,454 | 1,536,992 | 187,991,446 |
| | | UNALLOCATED EQUITY | IADB | 2.615 | 25,741,955 | 2,094,675 | 27,836,630 |
| | | UNAL L/T INVESTMENTS | BONDS | .64-7.37 | 418,344,765 | 82,296,637 | 500,641,402 |
| TOTAL | | | | | 630,541,174 | 85,928,304 | 716,469,478 |

STATE REVOLVING FUND - INVESTMENT CONTRACTS

| SERIES | PROVIDER | RATE | CW | DW | TOTAL | COLLATERAL | TYPE ¹ | REQUIRED | PROVIDED | OVER(SHORT) |
|----------------|-----------------|--------|-------------|------------|-------------|-------------|-------------------|----------|----------|-------------|
| NYCMWFA | | | | | | | | | | |
| 2004C | JP MORGAN CHASE | 4.8310 | 55,367,500 | 1,066,667 | 56,434,167 | 67,404,704 | MIXED | 113 | 119 | 6 |
| 2017B/2007A | SOC GEN | 5.1390 | 58,250,000 | 2,646,666 | 60,896,666 | 97,137,834 | GOV GUARA | 113 | 160 | 47 |
| 2017B/2004F | B/AMERICA | 5.1327 | 91,077,500 | 830,000 | 91,907,500 | 103,931,087 | MIXED | 113 | 113 | 0 |
| 2017B/2005C | SOC GEN | 4.6900 | 46,727,500 | 4,070,000 | 50,797,500 | 78,500,038 | GOV GUARA | 113 | 155 | 42 |
| 2017B/2006A | SOC GEN | 5.4300 | 52,085,144 | 2,134,646 | 54,219,790 | 105,938,784 | GOV GUARA | 113 | 195 | 82 |
| | | | 303,507,644 | 10,747,979 | 314,255,623 | 452,912,447 | | | | |
| MFI | | | | | | | | | | |
| 2003B/C/D, 04A | JP MORGAN CHASE | 5.1570 | 16,571,667 | | 16,571,667 | 22,124,872 | MIXED | 113 | 134 | 21 |
| 2004B | JP MORGAN CHASE | 4.4170 | 4,257,065 | 73,333 | 4,330,398 | 5,018,376 | GOV GUARA | 113 | 116 | 3 |
| 2005A | SSB/CITIGROUP | 4.0000 | 21,975,000 | 326,667 | 22,301,667 | 24,531,871 | GOV GUARA | 113 | 110 | (3) |
| | | | 42,803,732 | 400,000 | 43,203,732 | 51,675,119 | | | | |
| TOTAL | | | 346,311,376 | 11,147,979 | 357,459,355 | 504,587,566 | | | | |

1 Mixed includes a combination of both Treasuries and Government Guarantees.

INVESTMENT REPORT SUMMARY TOTALS

| | CORPORATE | CWSRF | DWSRF | TOTAL |
|----------------------------|------------|---------------|-------------|---------------|
| CHECKING/CASH | 17,417,104 | 1,400 | - | 17,418,504 |
| MONEY MARKET | 262,909 | 236,495,977 | 89,585,193 | 326,344,079 |
| CERTIFICATES OF DEPOSIT | | | | - |
| U.S. GOVERNMENT SECURITIES | | 1,096,860,437 | 282,643,105 | 1,379,503,542 |
| OTHER PERMITTED SECURITIES | | 630,541,174 | 85,928,304 | 716,469,478 |
| INVESTMENT CONTRACTS | | 346,311,376 | 11,147,979 | 357,459,355 |
| TOTAL | 17,680,013 | 2,310,210,364 | 469,304,581 | 2,797,194,958 |

INVESTMENT REPORT RECONCILIATION

| | CORPORATE | CWSRF | DWSRF | TOTAL |
|----------------------------------|------------|---------------|-------------|---------------|
| INVESTMENT REPORT SUMMARY TOTALS | 17,680,013 | 2,310,210,364 | 469,304,581 | 2,797,194,958 |

| | | | | |
|---|-------------|------------------|-------------|---------------|
| BALANCE SHEET - CASH AND INVESTMENTS | 25,556,210 | 2,196,819,968.29 | 465,430,876 | 2,687,807,054 |
| BALANCE SHEET - OTHER RESTRICTED FUNDS | 262,909 | | | 262,909 |
| ADJUSTMENT FOR FMV OF INVESTMENTS (LT&YR) | | 4,831,276 | (521,091) | 4,310,184 |
| CONSTRUCTION FUNDS (15)(55)/COI (33) | | 108,559,120 | 4,394,796 | 112,953,916 |
| AGENCY MONEY MARKET - M&T ADJUSTMENT | (8,139,106) | | | (8,139,106) |
| TOTAL | 17,680,013 | 2,310,210,364 | 469,304,580 | 2,797,194,957 |

| | | | | |
|------------|---|---|---|---|
| DIFFERENCE | - | - | - | - |
|------------|---|---|---|---|

| | | | | |
|------------------------------------|------------|---------------|-------------|---------------|
| INVESTMENT DETAIL LISTING FROM M&T | | 2,310,208,964 | 469,304,581 | 2,779,513,545 |
| CORPORATE INVESTMENTS | 17,680,013 | | | 17,680,013 |
| SRF - CASH | | 1,400 | - | 1,400 |
| TOTAL | 17,680,013 | 2,310,210,364 | 469,304,581 | 2,797,194,958 |

| | | | | |
|------------|---|---|---|---|
| DIFFERENCE | - | - | - | - |
|------------|---|---|---|---|

INFORMATION SUMMARY

Action

Annual review and approval of the Corporation's Guidelines for the Disposition of Property.

Additional Information

The Corporation is required by the provisions of Section 2896 of the Public Authorities Law to annually review and approve its Guidelines for the Disposition of Property.

RESOLUTION NO. [2979]

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION WITH RESPECT TO THE ANNUAL REVIEW
AND APPROVAL OF THE CORPORATION'S GUIDELINES FOR THE
DISPOSITION OF PROPERTY

WHEREAS, the Corporation is required by the provisions of Section 2896 of the Public Authorities Law to adopt and to annually review and approve its Guidelines for the Disposition of Property; and

WHEREAS, on June 23, 2022, the Board of Directors (the "Board") adopted Resolution No. 2919 approving the Corporation's Guidelines for the Disposition of Property; and

WHEREAS, the Board of Directors desires to amend the Guidelines for the Disposition of Property to correct formatting and make other non-substantive changes; and

WHEREAS, the Board desires to approve the amended Guidelines for the Disposition of Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

Section 1. The Corporation's Guidelines for the Disposition of Property, dated June 22, 2023, a copy of which is annexed hereto and made part hereof, are hereby approved.

Section 2. This Resolution shall take effect immediately.

Guidelines for the Disposition of Property

Guidelines for Disposition of Property

June 22, 2023

I. Background and Purpose

The Public Authorities Law (the “Act”) requires the Corporation to adopt by resolution comprehensive guidelines which (a) detail the Corporation’s operative policy and instructions regarding the use, awarding, monitoring and reporting of contracts for the disposal of property and (b) designate a Contracting Officer who is responsible for the compliance with, and enforcement of, these guidelines. These guidelines shall be annually reviewed and approved by the Board of Directors. As with other policies of the Corporation, these guidelines will also be reviewed, revised, and updated more frequently if needed.

The Act requires the Corporation to establish Guidelines to ensure that the Corporation will:

- (1) maintain adequate inventory controls and accountability systems for all Property owned by the Corporation and under its control;
- (2) periodically inventory such Property to determine which Property will be disposed of;
- (3) produce a written report of such Property in accordance with the Act; and
- (4) dispose of such Property as promptly as possible in accordance with the Act.

These Guidelines are intended to be consistent with the Act. To the extent there is a conflict between these Guidelines and the Act, the Act shall govern.

II. Guidelines

A. Definitions

For the purposes of these guidelines, unless a different meaning is required by the context:

1. The term “Contracting Officer” means the officer or employee of the Corporation who shall be appointed by resolution of the Board of Directors to be responsible for the disposition of Property and the Corporation’s compliance with, and enforcement of, these guidelines.
2. The term “dispose” or “disposal” means transfer of title or any other beneficial interest in personal or real property.
3. The term “property” means personal property in excess of five thousand dollars (\$5,000) in value, real property, and any inchoate or other interest in such property, to the extent that such interest may be conveyed to another person for any purpose, excluding an interest securing a loan or other financial obligation of another party.

B. Contracting Officer

The Board of Directors hereby designates the Director of Administration and Corporate Operations as Contracting Officer. Except as otherwise provided herein and in the Act, the Contracting Officer will have

supervision and direction over the disposal of Property of the Corporation and be responsible for the compliance by the Corporation with, and enforcement of, these Guidelines.

The Contracting Officer shall:

1. maintain adequate inventory controls and accountability systems for all property owned by the Corporation and under its control;
2. periodically inventory such property to determine which property shall be disposed of;
3. produce a written report of such property in accordance with Section II(C); and
4. transfer or dispose of such property as promptly and practicably as possible in accordance with Section II(D).

C. Report

The Corporation shall publish, not less than annually, a report listing all real property owned in fee by the Corporation. Such report shall also consist of:

1. a list and full description of all real and personal property disposed of during such period;
2. the price received by the Corporation; and
3. the name of the purchaser for all such property disposed of during such period.

The Corporation shall deliver copies of such report to the Comptroller of the State of New York, the Director of the Budget of State of New York, Commissioner of the New York State Office of General Services (“OGS”), the New York State Legislature (via distribution to the majority leader of the senate and the speaker of the assembly), and the Authorities Budget Office.

D. Disposal of Public Authority Property

1. Supervision and Direction

Except as otherwise provided in this section, the Contracting Officer designated by the Board of Directors shall have supervision and direction over the disposition of property of the Corporation.

2. Custody and Control

The custody and control of the property the Corporation, pending its disposition, and the disposal of such property, shall be performed by the Corporation or by the Commissioner of the New York State Office of General Services when so authorized under this section.

3. Method of Disposition

The Corporation may dispose of property for not less than the fair market value of such property by sale, exchange, or transfer, for cash, credit, or other property, with or without warranty, and upon such other terms and conditions as the contracting officer deems proper, and it may execute such documents for the transfer of title or other interest in property and take such other action as it

deems necessary or proper to dispose of such property under the provisions of this section. Provided, however, that no disposition of real property, or any interest in real property, shall be made unless an appraisal of the value of such property has been made by an independent appraiser and included in the record of the transaction, and, provided further, that no disposition of any other property, which because of its unique nature or the unique circumstances of the proposed transaction is not readily valued by reference to an active market for similar property, shall be made without a similar appraisal.

4. Sales by the Commissioner of OGS

When it shall be deemed advantageous to the state, the Corporation may enter into an agreement with the Commissioner of OGS where under such Commissioner may dispose of property of the Corporation under terms and conditions agreed to by the Corporation and the Commissioner of OGS. In disposing of any such property of the Corporation, the Commissioner of OGS shall be bound by the terms of these guidelines and references herein to the Contracting Officer shall be deemed to refer to the Commissioner of OGS.

5. Validity of Deed, Bill of Sale, Lease, or Other Instrument

A deed, bill of sale, lease, or other instrument executed by or on behalf of the Corporation, purporting to transfer title or any other interest in property of the Corporation shall be conclusive evidence of compliance with the Act insofar as concerns title or other interest of any bona fide grantee or transferee who has given valuable consideration for such title or other interest and has not received actual or constructive notice of lack of such compliance prior to the closing.

E. Bids for Disposal; Advertising; Procedure; Disposal by Negotiation; Explanatory Statement

1. All disposals or contracts for disposal of property of the Corporation made or authorized by the Contracting Officer shall be made after publicly advertising for bids, except as provided in Section II(E)(3).

2. Whenever public advertising for bids is required under Section II(E)(1):

- a) the advertising for bids shall be made at such time prior to the disposal or contract, through such methods, and on such terms and conditions as shall permit full and free competition consistent with the value and nature of the property;
- b) all bids shall be publicly disclosed at the time and place stated in the advertisement; and
- c) the award shall be made with reasonable promptness by notice to the responsible bidder whose bid, conforming to the invitation for bids, will be most advantageous to the state, price and other factors considered; provided, that all bids may be rejected when it is in the public interest to do so.

3. Disposals and contracts for disposal of property may be negotiated or made by public auction without regard to Section II(E)(1) and (2) but subject to obtaining competition as is feasible under the circumstances, if:

- a) the personal property involved has qualities separate from the utilitarian purpose of such property, such as artistic quality, antiquity, historical significance, rarity, or other quality of similar effect, that would tend to increase its value, or if the personal property is to be sold in such quantity that, if it were disposed of under Section II(E)(1) and (2), would adversely affect the state or local market for such property, and the estimated fair market value of such property and other satisfactory terms of disposal can be obtained by negotiation,
- b) the fair market value of the property does not exceed fifteen thousand dollars (\$15,000);
- c) bid prices after advertising therefor are not reasonable, either as to all or some part of the property, or have not been independently arrived at in open competition;
- d) the disposal will be to the state or any political subdivision, and the estimated fair market value of the property and other satisfactory terms of disposal are obtained by negotiation;
- e) under those circumstances permitted by Section II(F); or
- f) such action is otherwise authorized by law.

4. An explanatory statement shall be prepared of the circumstances of each disposal by negotiation of:

- a) any personal property which has an estimated fair market value in excess of fifteen thousand dollars (\$15,000);
- b) any real property that has an estimated fair market value in excess of one hundred thousand dollars (\$100,000), except that any real property disposed of by lease or exchange shall only be subject to Section II(E)(4)(c) and (d);
- c) any real property disposed of by lease, if the estimated annual rent over the term of the lease is in excess of fifteen thousand dollars (\$15,000); or
- d) any real property or real and related personal property disposed of by exchange, regardless of value, or any property any part of the consideration for which is real property.

Each such statement shall be transmitted to the persons and/or entities entitled to receive copies of the report required under Section II(C) not less than ninety (90) days in advance of such disposal, and a copy thereof shall be preserved in the files of the public authority making such disposal.

F. Disposal of Property for Less than Fair Market Value

1. No asset owned, leased or otherwise in the control of the Corporation may be sold, leased, or otherwise alienated for less than its fair market value except if:

- a) the transferee is a government or other public entity, and the terms and conditions of the transfer require that the ownership and use of the asset will remain with the government or any other entity;
- b) the purpose of the transfer is within the purpose, mission or governing statute of the public authority; or
- c) in the event the Corporation seeks to transfer an asset for less than its fair market value to other than a governmental entity, which disposal would not be consistent with the authority's mission, purpose or governing statutes, the Corporation shall provide written notification thereof to the governor, the speaker of the assembly, and the temporary president of the senate, and such proposed transfer shall be subject to denial by the governor, the senate, or the assembly in accordance with the Act.

2. In the event a below fair market value asset transfer is proposed, the following information must be provided to the authority board and the public:

- a) a full description of the asset;
- b) an appraisal of the fair market value of the asset and any other information establishing the fair market value sought by the board;
- c) a description of the purpose of the transfer, and a reasonable statement of the kind and amount of the benefit to the public resulting from the transfer, including but not limited to the kind, number, location, wages or salaries of jobs created or preserved as required by the transfer, the benefits, if any, to the communities in which the asset is situated as are required by the transfer;
- d) a statement of the value to be received compared to the fair market value;
- e) the names of any private parties participating in the transfer, and if different than the statement required by Section II(F)(2)(d), a statement of the value to the private party; and
- f) the names of other private parties who have made an offer for such asset, the value offered, and the purpose for which the asset was sought to be used.

3. Before approving the disposal of any property for less than fair market value, the board of any authority shall consider the information described in Section II(F)(2) and make a written determination that there is no reasonable alternative to the proposed below-market transfer that would achieve the same purpose of such transfer.

INFORMATION SUMMARY

Action

Amendment of the financial assistance authorized to certain recipients in connection with funds made available through the Drinking Water State Revolving Fund.

Additional Information

Extension of the Financing Maturity Date

Recipient: Town of Chesterfield / Essex County

Project No.: 18275

Description: Rehabilitation of the Existing Water Treatment Plant, New Groundwater Source, Upgrades to the Distribution System

The Corporation's staff is seeking Board authorization to extend the maturity date of the short-term financing beyond the maximum period previously authorized.

Extension of the Financing Maturity Date

Recipient: Village of Fonda / Montgomery County

Project No.: 18448

Description: Water System Improvements

The Corporation's staff is seeking Board authorization to extend the maturity date of the short-term financing beyond the maximum period previously authorized.

Extension of the Financing Maturity Date

Recipient: Town of Oneonta / Otsego County

Project No.: 17976

Description: Southside Water District No. 5
New Complete System, New Water District, New Storage, New Distribution System, System Consolidation

The Corporation's staff is seeking Board authorization to extend the maturity date of the short-term financing beyond the maximum period previously authorized.

Extension of the Financing Maturity Date

Recipient: Town of Oneonta / Otsego County

Project No.: 17987

Description: Southside Water Districts No. 6
New Complete System, New Water District, New Storage, New Distribution System, System Consolidation

The Corporation's staff is seeking Board authorization to extend the maturity date of the short-term financing beyond the maximum period previously authorized.

DWSRF Project No. 18275
Town of Chesterfield
Essex County
Rehabilitation of the Existing Water Treatment Plant, New Groundwater Source, Upgrades to the Distribution System

Recommended Action: Approval of an extension of the maturity date for an existing Short-Term Interest-Free Financing from October 4, 2023 to December 31, 2025

| | <u>Amount</u> | <u>Source / Type</u> |
|---|---------------|--------------------------|
| Previously Authorized: | \$10,888,500 | Short-Term Interest-Free |
| | \$ 2,000,000 | DWSRF Grant |
| | \$ 1,000,000 | 2018 WIIA Grant |
| Other Funding Sources not Requiring Authorization: | None | |

Construction Completion Date: December 1, 2024 (T)

Service Area Population: 1,134

Currently Metered System: Yes ☐ No ☒

Project Description:

The project includes rehabilitation of the existing surface water treatment plant, as well as the installation of new groundwater sources and appurtenances necessary to integrate the new groundwater source with the existing system. Upgrades to the Town's distribution system will also be made. This project is further defined by the engineering report entitled "Preliminary Water System and Capital Improvement Plan" dated July 31, 2018 by the engineering firm AES Northeast, as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

The water supply system has had violations since 2009 for exceeding the maximum contaminant level (MCL) for disinfection byproducts (DBPs), including trihalomethanes (THMs) and haloacetic acids (HAAs). A NYS DOH Administrative Tribunal Notice was issued to the Village of Keesville on November 28, 2011 and reissued to the Town of Chesterfield (upon dissolution of the Village) on March 5, 2015 for the repeat MCL violations. The US EPA issued an Administrative Order on April 14, 2015 for DBP MCL exceedances. NYSDOH also issued a violation on March 5, 2016 for combined filtered effluent turbidity exceedances, and NYS DEC issued a notice of violation on March 4, 2015 for SPDES violations related to discharges from the existing surface water treatment plant.

The proposed project will enhance performance of the surface water treatment facility through physical plant upgrades and a reduction in plant throughput. Plant throughput will be reduced with the addition of groundwater sources. Distribution upgrades will facilitate integration of the new groundwater source and replace aged components as practical. The proposed project will promote water conservation and will assist a non-compliant water system to achieve compliance with appropriate standards and regulations.

**DWSRF Project No. 18448
Village of Fonda
Montgomery County
Water System Improvements**

Recommended Action: Approval of an extension of the maturity date for an existing Short-Term Interest-Free/Short-Term Market-Rate Financing from September 27, 2023 to December 31, 2024

| | <u>Amount</u> | <u>Source / Type</u> |
|-------------------------------|---------------|--------------------------|
| Previously Authorized: | \$ 480,577 | Short-Term Interest-Free |
| | \$ 961,152 | Short-Term Market-Rate |
| | \$ 2,158,271 | 2017 WIIA Grant |

Other Funding Sources not Requiring Authorization: None

Construction Completion Date: August 30, 2024 (T)

Service Area Population: 1,080

Currently Metered System: Yes ☒ No ☐

Project Description:

The Village of Fonda's water system requires comprehensive improvements including the following: installing reservoir aeration and a new reservoir intake; new filtration units, piping, valves, and pumps at its water treatment plant; replacement of aged water mains and installing a new pressure reducing valve in distribution; and installing a mixing system and a supervisory control and data acquisition (SCADA) system for its water storage tank. The project is defined by the engineering report titled "Village of Fonda Water System Improvements" by JME/KB Engineering, dated June 2017, revised March 2018 as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

The Village of Fonda requires comprehensive water system improvements. The improvements at the reservoir and treatment plan would ensure water quality and reduce present levels of iron and manganese in the finished water. The filters, piping, valves, and pumps at the filter plant are deteriorated and need to be replaced to prevent excessive maintenance and repairs, and poor performance. Distribution system improvements, including a new pressure reducing valve and new water main will ensure proper system pressures and flows for firefighting and reduce the frequency of water main breaks. Controlling the storage tank levels via a new SCADA system should reduce tank overflows and along with installing a mixer in the tank, should help maintain more consistent chlorine residuals.

DWSRF Project No. 17976
Town of Oneonta
Otsego County
Southside Water District No. 5
New Complete System, New Water District, New Storage, New Distribution System, System Consolidation

Recommended Action: Approval of extension of the maturity date for an existing Short-Term Interest-Free Financing from October 6, 2023 to April 6, 2025

| | <u>Amount</u> | <u>Source / Type</u> |
|-------------------------------|---------------|---------------------------|
| Previously Authorized: | \$ 1,900,000 | Short-Term Interest-Free |
| | \$ 2,000,000 | DWSRF Grant |
| | \$ 1,000,000 | 2015 WIIA Grant - Round 2 |

| | | |
|---|------------|--|
| Other Funding Sources not Requiring Authorization: | \$ 600,000 | NYS Community Development Block Grant (CDBG) |
| | \$ 500,000 | Empire State Development Grant |

Construction Completion Date: May 24, 2024 (T)

Service Area Population: 253

Currently Metered System: Yes ☐ No ☒

Project Description:

This project is for the creation of the Town of Oneonta Southside Water District No. 5 (formerly referred to as WD No. 1), which will serve residences currently on insufficient private wells and will consolidate several existing small privately owned water systems along NYS Rte. 23. The infrastructure will include new wells and treatment, a new storage tank and a new distribution system. The project is defined by the engineering report titled "Southside Water System – Preliminary Engineer's Report" dated December 2009, revised April 2010, and amended August 2012 and March 2014, by the engineering firm Lamont Engineers, as may be updated, amended, supplemented and approved by the Agency.

Project Summary:

The proposed project area contains many residences on private wells with quantity and/or quality issues. Additionally, the New York State Department of Health has expressed concerns to the Town about the large number of small privately owned public water systems within this relatively concentrated area. Some of these small water systems have had health violations previously, and because of the density of the numerous private wells in the area, there is potential for further problems in the future.

DWSRF Project No. 17987
Town of Oneonta
Otsego County
Southside Water Districts No. 6
New Complete System, New Water District, New Storage, New Distribution System, System Consolidation

Recommended Action: Approval of an extension of the maturity date for an existing Short-Term Interest-Free Financing from October 6, 2023 to April 6, 2025

| | <u>Amount</u> | <u>Source / Type</u> |
|-------------------------------|---------------|--------------------------|
| Previously Authorized: | \$ 2,800,000 | Short-Term Interest-Free |

Other Funding Sources not Requiring Authorization: None

Construction Completion Date: May 24, 2024 (T)

Service Area Population: 393

Currently Metered System: Yes ☐ No ☒

Project Description:

This project is for the creation of the Town of Oneonta Southside Water District No. 6, (formerly referred to as WD No. 2), which will consolidate and serve several small privately owned public water systems along NYS Rte. 23 that are currently on insufficient private wells. The infrastructure will include new wells and treatment, a new storage tank and a new distribution system. The project is defined by the engineering report titled "Southside Water System – Preliminary Engineer's Report" dated December 2009, revised April 2010, and amended August 2012 and March 2014, by the engineering firm Lamont Engineers, as may be updated, amended, supplemented and approved by the Agency.

Project Summary:

The proposed project area contains several currently regulated small privately owned public water systems on private wells with quantity and/or quality issues. The New York State Department of Health has expressed concerns to the Town about the large number of water systems within this relatively concentrated area. Some of these water systems have had health violations previously, and because of the density of the numerous private wells in the area, there is potential for further problems in the future.

RESOLUTION NO. [2980]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION AMENDING PRIOR AUTHORIZATIONS FOR
FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO
CERTAIN RECIPIENTS IN CONNECTION WITH THE DRINKING WATER
STATE REVOLVING FUND**

Maturity Date Extension

Chesterfield (T) - Project No. 18275

WHEREAS, by Resolution No. 2640 adopted on April 11, 2019, the Board of Directors (the "Board") authorized a short-term financing to be made by the Corporation to the Town of Chesterfield; and

WHEREAS, on April 17, 2019, the Public Authorities Control Board ("PACB") adopted Resolution No.19-EF-766 approving the financing; and

WHEREAS, by Resolution No. 2870 adopted on November 4, 2021, the Board authorized an amendment of the financial assistance provided to the Town of Chesterfield to increase the maximum principal amount of the financing; and

WHEREAS, PACB approved the amendment on November 17, 2021 through adoption of Resolution No. 21-EF-766A; and,

WHEREAS, the financing is set to mature on October 4, 2023; and

WHEREAS, the Board desires to authorize extension of the maturity date of the Town of Chesterfield's financing to as set forth herein.

Maturity Date Extension

Fonda (V) - Project No. 18448

WHEREAS, by Resolution No. 2590 adopted on August 9, 2018, the Board authorized a short-term financing to be made by the Corporation to the Village of Fonda; and

WHEREAS, on September 19, 2018, PACB adopted Resolution No. 18-EF-746 approving the financing; and

WHEREAS, the financing is set to mature on September 27, 2023; and

WHEREAS, the Board desires to authorize extension of the maturity date of the Village of Fonda's financing to as set forth herein.

Maturity Date Extension

Oneonta (T) - Project No. 17976

WHEREAS, by Resolution No. 2440 adopted on September 8, 2016, the Board authorized a short-term financing to be made by the Corporation to the Town of Oneonta; and

WHEREAS, on September 21, 2016, PACB adopted Resolution No. 16-EF-697 approving the financing; and

WHEREAS, by Resolution No. 2858 adopted on September 2, 2021, the Board authorized an amendment of the financial assistance provided to the Town of Oneonta for Southside Water District No. 5 to extend the maturity date; and

WHEREAS, PACB approved the amendment on September 15, 2021 through adoption of Resolution No. 21-EF-697A and,

WHEREAS, by Resolution No. 2920 adopted on June 23, 2022 Board authorized an amendment of the financial assistance provided to the Town of Oneonta for Southside Water District No. 5 to extend the maturity date; and

WHEREAS, PACB approved the amendment on June 27, 2022 through adoption of Resolution No. 22-EF-697B and,

WHEREAS, the financing is set to mature on October 6, 2023; and

WHEREAS, the Board desires to authorize extension of the maturity date of the Town of Oneonta's financing for 17976 as set forth herein.

Maturity Date Extension

Oneonta (T) - Project No. 17987

WHEREAS, by Resolution No. 2440 adopted on September 8, 2016, the Board authorized a short-term financing to be made by the Corporation to the Town of Oneonta for Southside Water District No. 6; and

WHEREAS, on September 21, 2016, PACB adopted Resolution No. 16-EF-697 approving the financing; and

WHEREAS, by Resolution No. 2858 adopted on September 2, 2021, the Board authorized an amendment of the financial assistance provided to the Town of Oneonta for Southside Water District No. 6 to extend the maturity date; and

WHEREAS, PACB approved the amendment on September 15, 2021 through adoption of Resolution No. 21-EF-697A and,

WHEREAS, by Resolution No. 2920 adopted on June 23, 2022 Board authorized an amendment of the financial assistance provided to the Town of Oneonta for Southside Water

District No. 6 to extend the maturity date; and

WHEREAS, PACB approved the amendment on June 27, 2022 through adoption of Resolution No. 22-EF-697B and,

WHEREAS, the financing is set to mature on October 6, 2023; and

WHEREAS, the Board desires to authorize extension of the maturity date of the Town of Oneonta's financing for 17987 as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

Section 1. The Board hereby authorizes extension of the maturity date of the financing provided to the Town of Chesterfield from October 4, 2023 to December 31, 2025. All other authorizations, determinations, terms and conditions contained in Resolution No. 2640, and any amendments relating thereto, shall remain in effect.

Section 2. The Board hereby authorizes extension of the maturity date of the financing provided to the Village of Fonda from September 27, 2023 to December 31, 2024. All other authorizations, determinations, terms and conditions contained in Resolution No. 2590, and any amendments relating thereto, shall remain in effect.

Section 3. The Board hereby authorizes extension of the maturity date of the financing provided to the Town of Oneonta under Project No. 17976 from October 6, 2023 to April 6, 2025. All other authorizations, determinations, terms and conditions contained in Resolution No. 2440, and any amendments relating thereto, shall remain in effect.

Section 4. The Board hereby authorizes extension of the maturity date of the financing provided to the Town of Oneonta under Project No. 17987 from October 6, 2023 to April 6, 2025. All other authorizations, determinations, terms and conditions contained in Resolution No. 2440, and any amendments relating thereto, shall remain in effect.

Section 5. This Resolution shall take effect immediately.

Exhibit A

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|---------------------------|------------------|---------------|--|--|--------------------------|
| 18275 | Chesterfield (T) | Essex | \$10,888,500 | \$2,000,000 | 0% |

Project Description

The project includes rehabilitation of the existing surface water treatment plant, as well as the installation of new groundwater sources and appurtenances necessary to integrate the new groundwater source with the existing system. Upgrades to the Town's distribution system will also be made. This project is further defined by the engineering report entitled "Preliminary Water System and Capital Improvement Plan" dated July 31, 2018 by the engineering firm AES Northeast, as may be updated, amended, supplemented, and approved by the Agency.

Exhibit B

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|---------------------------|------------------|---------------|--|--|--------------------------|
| 18448 | Fonda (V) | Montgomery | \$480,577 | N/A | 0% |

Project Description

The Village of Fonda's water system requires comprehensive improvements including the following: installing reservoir aeration and a new reservoir intake; new filtration units, piping, valves, and pumps at its water treatment plant; replacement of aged water mains and installing a new pressure reducing valve in distribution; and installing a mixing system and a supervisory control and data acquisition (SCADA) system for its water storage tank. The project is defined by the engineering report titled "Village of Fonda Water System Improvements" by JME/KB Engineering, dated June 2017, revised March 2018 as may be updated, amended, supplemented, and approved by the Agency.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate (not to exceed)</u> |
|---------------------------|------------------|---------------|--|--|--|
| 18448 | Fonda (V) | Montgomery | \$961,152 | N/A | 4% |

Project Description

The Village of Fonda's water system requires comprehensive improvements including the following: installing reservoir aeration and a new reservoir intake; new filtration units, piping, valves, and pumps at its water treatment plant; replacement of aged water mains and installing a new pressure reducing valve in distribution; and installing a mixing system and a supervisory control and data acquisition (SCADA) system for its water storage tank. The project is defined by the engineering report titled "Village of Fonda Water System Improvements" by JME/KB Engineering, dated June 2017, revised March 2018 as may be updated, amended, supplemented, and approved by the Agency.

Exhibit C

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|---------------------------|------------------|---------------|--|--|--------------------------|
| 17976 | Oneonta (T) | Otsego | \$1,900,000 | \$2,000,000 | 0% |

Project Description

This project is for the creation of the Town of Oneonta Southside Water District No. 5 (formerly referred to as WD No. 1), which will serve residences currently on insufficient private wells and will consolidate several existing small privately owned water systems along NYS Rte. 23. The infrastructure will include new wells and treatment, a new storage tank and a new distribution system. The project is defined by the engineering report titled "Southside Water System – Preliminary Engineer's Report" dated December 2009, revised April 2010, and amended August 2012 and March 2014, by the engineering firm Lamont Engineers, as may be updated, amended, supplemented and approved by the Agency.

Exhibit D

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|---------------------------|------------------|---------------|--|--|--------------------------|
| 17987 | Oneonta (T) | Otsego | \$2,800,000 | N/A | 0% |

Project Description

This project is for the creation of the Town of Oneonta Southside Water District No. 6, (formerly referred to as WD No. 2), which will consolidate and serve several small privately owned public water systems along NYS Rte. 23 that are currently on insufficient private wells. The infrastructure will include new wells and treatment, a new storage tank and a new distribution system. The project is defined by the engineering report titled "Southside Water System – Preliminary Engineer's Report" dated December 2009, revised April 2010, and amended August 2012 and March 2014, by the engineering firm Lamont Engineers, as may be updated, amended, supplemented and approved by the Agency.

INFORMATION SUMMARY

Action

Authorizing certain actions and/or financial assistance payments in connection with financing the following eligible drinking water projects from funding made available through the Drinking Water State Revolving Fund and/or from funds appropriated for the New York State Water Infrastructure Improvement Act:

Short-Term Market-Rate Financings:

Total: **\$2,094,120**

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate (not to exceed)</u> |
|---------------------------|------------------|---------------|--|--|--|
| 18333 | Menands (V) | Albany | \$2,094,120 | N/A | 6% |

Water Infrastructure Improvement Act Grants:

Total: **\$25,908,480**

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum WIIA Grant Amount</u> | <u>Source of Funding</u> |
|---------------------------|-------------------------------------|---------------|--------------------------------------|--------------------------|
| 19078 | Greenlawn Water District | Suffolk | \$3,230,400 | 2021 WIIA Grant (EC) |
| 19081 | Jericho Water District | Nassau | \$12,115,200 | 2021 WIIA Grant (EC) |
| 18075 | Madison County | Madison | \$1,608,000 | 2021 WIIA Grant |
| 18333 | Menands (V) | Albany | \$ 2,954,880 | 2021 WIIA Grant |
| 19012 | Sands Point (V) | Nassau | \$3,000,000 | 2021 WIIA Grant |
| 18865 | Water Authority of Great Neck North | Nassau | \$3,000,000 | 2021 WIIA Grant |

| | |
|--------------------------|---------------------|
| DWSRF Financings: | \$ 2,094,120 |
| DWSRF Additional Subsidy | \$0 |
| <u>DW WIIA Grants:</u> | <u>\$25,908,480</u> |

Total: \$28,002,600

Project No. 19078
Greenlawn Water District
Suffolk County
Well No. 11 Advanced Oxidation Process

Recommended Action: Approval of a 2021 Water Infrastructure Improvement Act (WIIA) Grant

| | <u>Amount</u> | <u>Source/Type</u> |
|---------------------------------|---------------|----------------------|
| Requested Authorization: | \$3,000,000 | 2021 WIIA Grant (EC) |
| | \$ 230,400 | 2021 EC Grant |

**Funding Sources not
Requiring Authorization:** None

Service Area Population: 42,000

Currently Metered System: Yes ☒ No ☐

Project Description:

This project consists of the installation of an advanced oxidation process (AOP) system to treat 1,4-dioxane at Greenlawn Water District's Well No. 11. The AOP construction will include a UV reactor, hydrogen peroxide storage, piping to the existing train of GAC vessels, a new natural gas emergency generator, associated treatment piping and appurtenances, and a structure to house the equipment. Additionally, electrical and telemetry equipment will need to be integrated into the existing system. The project is defined by the engineering report entitled "Well No. 11 AOP" dated November 2021 by the engineering firm H2M Architects & Engineers, as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

This project is addressing regulated contaminants at an existing well source. Well No. 11 at Greenlawn Water District has a capacity of 1.73 million gallons per day (MGD). Maximum levels of 1,4-dioxane at Well No. 11 were 1.1 µg/L, exceeding the current MCL of 1µg/L. The existing treatment at Greenlawn Water District No. 11 includes granular activated carbon for volatile organic compound (VOC) treatment so carbon vessels will not need to be added to accommodate hydrogen peroxide quenching in the AOP as part of this construction. The AOP and GAC treatment will provide the necessary removal of 1,4-dioxane should concentrations of PFOA/PFOS increase, thereby improving the acceptability of the finished water. In addition, this project will enable the Greenlawn Water District to provide adequate supply of water to its customers.

Funding Summary:

Total project costs of \$5,385,000 will be funded with a 2021 WIIA Grant-Emerging Contaminants in the amount of \$3,000,000, a 2021 Emerging Contaminants Grant in the amount of \$230,400, and a \$2,154,600 municipal contribution.

SEQR Findings:

The Corporation has determined that the proposed action will a project that constitutes "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area" which is a Type "II" action under SEQR, pursuant to 6 NYCRR Section 617.5(c)(9).

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| General | June 2, 2023 (T) | May 1, 2024 (T) |

**Project No. 19081
Jericho Water District
Nassau County
Upgrade Water Treatment Plant**

Recommended Action: Approval of a 2021 Water Infrastructure Improvement Act (WIIA) Grant

| | <u>Amount</u> | <u>Source/Type</u> |
|---------------------------------|---------------|----------------------|
| Requested Authorization: | \$3,000,000 | 2021 WIIA Grant (EC) |
| | \$9,115,200 | 2021 EC Grant |

**Funding Sources not
Requiring Authorization:** None

Service Area Population: 58,000

Currently Metered System: Yes ☒ No ☐

Project Description:

This project consists of the installation of an advanced oxidation process (AOP) treatment system and a granular activated carbon (GAC) treatment system at the Stillwell Lane Facility Well Nos. 20 and 21 for the removal of 1,4-dioxane and perfluorooctanoic acid (PFOA). The AOP treatment system will include three new ultraviolet light/hydrogen peroxide AOP reactors. The existing GAC treatment system will be expanded from one set of two 12-foot diameter GAC vessels operated in parallel to two sets of two 12-foot diameter GAC vessels operated in series with 40,000 pounds of GAC media in each vessel. The project is defined by the engineering report entitled “1,4-Dioxane and PFOA Treatment at Wells 20 & 21” dated May 1, 2022 by the engineering firm D&B Engineers and Architects, as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

This project is addressing regulated and emerging contaminants (EC) at the Stillwell Lane Facility. The Stillwell Lane Facility is the site of two groundwater supply wells designated as Well Nos. 20 and 21. 1,4-dioxane has been detected in Well Nos. 20 and 21 at concentrations of 1.1 ug/L and 0.47 ug/L, respectively in September 2021, and PFOA has been detected in Well No. 20 at a concentration of 2.3 ng/L in February 2021. Although the concentrations do not exceed the maximum contaminant levels for these compounds, the Jericho Water District will install AOP and GAC treatment systems for the removal of 1,4-dioxane and PFOA. This project will improve water quality and allow Jericho Water District to provide an adequate supply of water to its customers.

Funding Summary:

Total project costs of \$20,192,000 will be funded with a 2021 WIIA Grant-Emerging Contaminants in the amount of \$3,000,000, a 2021 Emerging Contaminants Grant in the amount of \$9,115,200 and a \$7,134,000 municipal contribution.

SEQR Findings:

The Corporation has determined that the proposed action will a project which will not have a significant adverse impact on the environment: (1) no potentially significant adverse impacts have been identified; and (2) the Jericho Water District, acting as lead agency, has issued a negative declaration.

Construction Schedule:

Description

Construction Start

Construction Completion

All Contracts

October 24, 2022 (A)

April 30, 2024 (T)

**Project No. 18075
Madison County
Madison County
New Water District**

Recommended Action: Approval of a 2021 Water Infrastructure Improvement Act (WIIA) Grant

| | <u>Amount</u> | <u>Source/Type</u> |
|---------------------------------|---------------|--------------------|
| Requested Authorization: | \$1,608,000 | 2021 WIIA Grant |

**Funding Sources not
Requiring Authorization:** None

Service Area Population: 461

Currently Metered System: Yes ☒ No ☐

Project Description:

This project consists of the creation of the new Clockville Water District No. 1 in the Town of Lincoln and Town of Lenox, associated water distribution mains, and an interconnection with Onondaga County Water Authority (OCWA) to serve the new water district. The project is defined by the engineering report entitled "Preliminary Engineering Report – Clockville Water District Extension No. 1" dated November 2021 by the engineering firm Barton & Loguidice as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

Residents in the Town of Lincoln and Town of Lenox project areas previously relied on private residential wells that experienced excessive water hardness, odorous water, and other water quality issues. The shallow residential wells had quantity issues that would leave residents with significantly restricted water use or no water supply. This project included the creation of the new Clockville Water District No. 1, associated water distribution mains, and an interconnection to OCWA to serve the new water district. This project provided the residents with a reliable public water supply that addressed the private residential well quality/quantity issues, and thereby increased public health in the project area.

Funding Summary:

Total project costs of \$2,780,285.87 will be funded with a 2021 WIIA Grant in the amount of \$1,608,000 and a \$1,172,285.87 municipal contribution.

SEQR Findings:

The Corporation has determined that the proposed action will a project which will not have a significant adverse impact on the environment: (1) no potentially significant adverse impacts have been identified; and (2) the Madison County, acting as lead agency, has issued a negative declaration.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| All Work | April 14, 2021 (A) | November 15, 2022 (A) |

**DWSRF Project No. 18333
Village of Menands
Albany County
Upgrade Distribution System**

Recommended Action: Approval of a Short-Term Market-Rate Financing and 2021 WIIA Grant

Short-Term Maturity: 3 Year ☐ 5 Year ☒

| | <u>Amount</u> | <u>Source / Type</u> |
|---------------------------------|---------------|------------------------|
| Requested Authorization: | \$ 2,094,120 | Short-Term Market-Rate |
| | \$ 2,954,880 | 2021 WIIA Grant |

Funding Sources not Requiring Authorization: \$ 10,000 Community Development Block Grant (CDBG)

Estimated Long-Term Amount to be Financed: \$ 2,094,120

Hardship: Yes ☐ No ☒

Service Area Population: 3,990

Currently Metered System: Yes ☒ No ☐

Project Description:

This project consists of the replacement of approximately 12,250 linear feet of water main in the South End neighborhood. The project is defined by the engineering report entitled "South End Neighborhood Water and Sanitary Sewer System Improvements" dated November 22, 2021 by the engineering firm LaBella Associates, as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

This project is addressing failing water infrastructure in the South End neighborhood of the Village of Menands and a lack of a reliable backup source of water. The water mains are aged (80 – 90 years old) and have exceeded their useful lives, leading to numerous water main breaks. These breaks result in frequent service disruptions for residents in the area and impose a maintenance burden on the Village's Department of Public Works staff. The project addresses these issues through the replacement of approximately 12,250 linear feet of water main in the South End neighborhood and improvements to the 10" Watervliet Water System Interconnection.

Financing Summary:

Total project costs of \$5,059,000 will be funded with a 2021 WIIA Grant in the amount of \$2,954,880, an SRF short-term market-rate financing in the amount of \$2,094,120 and a Community Development Block Grant via the Town of Colonie CDBG Entitlement Program in the amount of \$10,000. The Village plans to convert to an SRF long-term financing.

SEQR Findings:

The Corporation has determined that the proposed action will fund a project that constitutes the "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site" which is a Type "II" action under SEQR, pursuant to 6 NYCRR Section 617.5(c)(2).

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| All Contracts | August 1, 2023 (T) | December 31, 2024 (T) |

Project No. 19012
Village of Sands Point
Nassau County
GAC Treatment System for Wells 2A and 5A

Recommended Action: Approval of a 2021 Water Infrastructure Improvement Act (WIIA) Grant

| | <u>Amount</u> | <u>Source/Type</u> |
|---------------------------------|---------------|--------------------|
| Requested Authorization: | \$3,000,000 | 2021 WIIA Grant |

**Funding Sources not
Requiring Authorization:** None

Service Area Population: 2,900 **Currently Metered System:** Yes ☒ No ☐

Project Description:

This project consists of the installation of a new Granular Activated Carbon (GAC) treatment system for Wells 2A and 5A. The new GAC treatment system will include four GAC vessels of 20,000-lb capacity each; a new treatment building to house the GAC system; replacement of the chemical storage tank for sodium hydroxide for pH adjustment and improvements to the existing sodium hypochlorite chemical system for disinfection; and upgrades to the electrical and control systems. The project is defined by the engineering report entitled "Granular Activated Carbon Adsorption System at Wells 2A and 5A" dated August 2022 by the engineering firm D&B Engineers and Architects, as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

This project is addressing regulated and emerging contaminants (EC) at Wells 2A and 5A of the Village. Wells 2A and 5A are two of six wells and supply 37% of the Village's annual water usage. Levels of PFOA have been detected at Wells 2A and 5A up to 9.2 ng/L and 8.5 ng/L respectively. Although the concentration does not exceed the maximum contaminant levels of 10 ng/L for PFOA, the Village of Sands Point will install a GAC treatment system for removal of PFOA to improve water quality. Also, continued operation of the wells is critical to ensure adequate water supply to meet the Village daily demand.

Funding Summary:

Total project costs of \$8,870,992 will be funded with a 2021 WIIA Grant in the amount of \$3,000,000 and a \$5,870,992 municipal contribution.

SEQR Findings:

The Corporation has determined that the proposed action will be a project that constitutes "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area" which is a Type "II" action under SEQR, pursuant to 6 NYCRR Section 617.5(c)(9).

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| All Contracts | March 15, 2023 (A) | April 15, 2024 (T) |

Project No. 18865
Water Authority of Great Neck North
Nassau County
Treatment Upgrades

Recommended Action: Approval of a 2021 Water Infrastructure Improvement Act (WIIA) Grant

| | <u>Amount</u> | <u>Source/Type</u> |
|---------------------------------|---------------|--------------------|
| Requested Authorization: | \$3,000,000 | 2021 WIIA Grant |

| | | |
|---|--------------|------------|
| Funding Sources not Requiring Authorization: | \$11,308,892 | WIFIA Loan |
|---|--------------|------------|

Service Area Population: 32,400

Currently Metered System: Yes ☒ No ☐

Project Description:

This project consisted of the installation of an advanced oxidation process (AOP) treatment system for the removal of 1,4-dioxane, and a granular activated carbon (GAC) treatment system for removal of perfluorooctanoic acid (PFOA). The project is defined by the engineering report entitled “Emerging Contaminant Treatment at Watermill Lane Facility” dated August 2021 by the engineering firm H2M architects + engineers as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

The Water Authority of Great Neck North experienced increasing concentrations of 1,4-dioxane and PFOA at their Watermill Lane Facility (Wells 2A, 9, & 11A). Maximum 1,4-dioxane detections at the Watermill Lane Facility were 1.0 ug/L, equal to the NYS MCL of 1.0 ug/L. Maximum PFOA detections at the Watermill Lane Facility were 8.1 ng/L, nearing the NYS MCL of 10 ng/L. The existing treatment system was ineffective at removing 1,4-dioxane and PFOA. This project consisted of an AOP treatment system for removal of 1,4-dioxane and a GAC system for removal of PFOA. The new AOP and GAC treatment systems will improve finished water quality and public health for the Water Authority of Great Neck North.

Funding Summary:

Total project costs of \$16,588,841 will be funded with a 2021 WIIA Grant in the amount of \$3,000,000, a WIFIA Loan of \$11,308,892 and an Authority contribution of \$2,279,949.

SEQR Findings:

The Corporation has determined that the proposed action will fund a project which will not have a significant adverse impact on the environment: (1) no potentially significant adverse impacts have been identified; and (2) the Water Authority of Great Neck North, acting as lead agency, has issued a negative declaration.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| All Work | August 10, 2021 (A) | September 30, 2022 (A) |

RESOLUTION NO. [2981]

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE DRINKING WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE DRINKING WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS

WHEREAS, pursuant to the New York State Environmental Facilities Corporation Act, being Chapter 744 of the Laws of 1970 constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, as amended (the "Act"), the New York State Environmental Facilities Corporation (the "Corporation") has been established as a body corporate and politic constituting a public benefit corporation; and

WHEREAS, pursuant to Chapter 413 of the Laws of New York of 1996, as amended (the "DWSRF Act") and the 1996 Act to reauthorize and amend title XIV of the Public Health Service Act, Public Law 104-182 (the "Safe Drinking Water Act"), the Drinking Water State Revolving Fund (the "DWSRF") was established in the custody of the Corporation; and

WHEREAS, the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (2021), also referred to as the Bipartisan Infrastructure Law, ("IIJA" or "BIL") reauthorizes and amends funding levels and certain provisions in the Safe Drinking Water Act; and

WHEREAS, the Corporation is charged with providing low cost financing to eligible recipients while maintaining the fiscal integrity of the DWSRF; and

WHEREAS, each of the applicants listed in **Exhibit A** hereto has submitted an application to the Corporation for financial assistance under the DWSRF Act and the Safe Drinking Water Act, for the purpose of financing or refinancing water supply projects undertaken and completed or to be undertaken and completed by such applicants; and

WHEREAS, each of the water supply projects proposed to be financed or refinanced by such applicants through the short-term interest-free, short-term market-rate or long-term financings and/or additional subsidies descriptions of which are set out in **Exhibit A** hereto (collectively, the "DWSRF Projects"), constitute an "eligible project" within the meaning of the DWSRF Act and the Safe Drinking Water Act, including but not limited to amendments under BIL, as certified to the Corporation by the New York State Department of Health; and

WHEREAS, with respect to the amounts identified in **Exhibit A**, the Corporation has, where necessary, identified funds available in excess of the amounts listed in the Intended Use Plan (the "IUP") or has made such moneys available through by-pass as provided in the IUP; and

WHEREAS, with respect to the short-term market-rate financings, available funds within the DWSRF have been identified, and in the future the Corporation may seek the Board of Directors' approval to issue its Corporation Bonds to fund any such projects; and

WHEREAS, the Corporation desires to provide such short-term interest-free, short-term market-rate or long-term interest-free financings to the respective applicants, in accordance with the terms and conditions set forth in **Exhibit A**, and as will be more fully set forth in the closing documents for the financings (the "Direct Financings"); and

WHEREAS, the New York State Water Infrastructure Improvement Act of 2015, being Part G of Chapter 60 of the Laws of 2015 ("WIIA 2015"), and the Clean Water Infrastructure Act of 2017, being Part T of Chapter 57 of the Laws of 2017 (the "Infrastructure Act"), each authorizes and directs the Corporation to provide financial assistance payments ("Grants"), from funds appropriated for such purpose, to municipalities in support of water quality infrastructure projects; and

WHEREAS, \$400 million was appropriated over a three-year period for the purposes of WIIA 2015, and no less than \$1 billion was appropriated for purposes of funding water infrastructure improvement projects under the Infrastructure Act; and

WHEREAS, subsequent annual appropriations have been made available for the purpose of providing Grants to municipalities in support of water infrastructure improvement projects;

WHEREAS, preference for award of Grants shall be given to municipalities that meet the Corporation's hardship criteria and projects that result in the greatest water quality improvement or greatest reduction in serious risk to public health; and

WHEREAS, the Department of Health has completed an evaluation of the projects set forth in **Exhibit B** (hereinafter referred to as the "WIIA Projects"), determined that each WIIA Project constitutes an eligible "water quality infrastructure project" as defined in WIIA, and otherwise meets the criteria for award of a WIIA Grant; and

WHEREAS, the Corporation desires to provide WIIA Grants to the applicants listed in **Exhibit B** in support of water quality infrastructure projects in accordance with WIIA and subject to continuing compliance with applicable law as will be more fully set forth in the closing documents for the financing of each WIIA Project.

WHEREAS, pursuant to WIIA, a municipality is not required to accept DWSRF financing from the Corporation to receive a WIIA Grant; however, municipalities often seek DWSRF financing in addition to their WIIA grant to fund the total cost of their project; and

WHEREAS, for any DWSRF Project or WIIA Project subject to Article 6 of the Environmental Conservation Law, or the State Smart Growth Public Infrastructure Policy Act, the President has attested in a written Smart Growth Impact Statement that the project meets the relevant criteria as set forth in the Smart Growth Public Infrastructure Policy Act to the extent practicable or, if a Project does not meet the relevant criteria and compliance is considered impracticable, has provided a detailed statement of justification; and

NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

Section 1. Short-Term and Long-Term Financings and Additional Subsidies

A. The Corporation has reviewed the information supplied by each financing applicant set forth in **Exhibit A**, in connection with its application for DWSRF financial assistance, and the Corporation hereby determines that it would be impracticable or inadvisable to finance all or a portion of the costs of the DWSRF Projects from the proceeds of bonds or notes that are special obligations of the Corporation. The filing of the determination contained in this Section 1.A in accordance with, and to the extent required by, applicable law and regulations by or at the direction of an officer of the Corporation is hereby authorized and confirmed.

B. To accomplish the purposes of the Act, the Safe Drinking Water Act, and the DWSRF Act, and to provide for the financing or refinancing of the DWSRF Projects, the Corporation is hereby authorized to provide the Direct Financings and/or the grants, from monies in the DWSRF, to the applicants listed in **Exhibit A** in compliance with applicable law. Each Direct Financing shall be in a principal amount not exceeding the principal amount set forth opposite the name of the applicant in **Exhibit A** and shall bear interest at rates not in excess of those set forth in **Exhibit A**. Each short-term Direct Financing shall mature not later than five years from the date of the closing of such short-term Financing, and each long-term Direct Financing shall mature not later than thirty years from the date of the closing of such long-term Direct Financing. Principal amounts and maturities are to be determined by either the President, any Vice President, Chief Financial Officer, General Counsel or Controller (collectively, the "Authorized Officers") of the Corporation.

The Corporation is further authorized to guarantee the payment of each short-term market-rate financing from monies and assets held in the DWSRF, each short-term market-rate financing shall be in a principal amount not exceeding the principal amount set forth opposite the name of the applicant in **Exhibit A**; shall mature not later than five years from the date of the closing of such short-term market-rate financing; and shall initially bear interest at a rate or rates not in excess of those set forth in **Exhibit A** and as may be determined by any Authorized Officer from time to time in accordance with the provisions of the financing agreement. Each short-term market-rate financing shall remain eligible to compete for and receive an interest rate subsidy if authorized in the current IUP and in the event that the project score so qualifies under such IUP, which subsidy shall be provided in accordance with the provisions of the financing agreement. Further, if authorized in the IUP, each short-term market-rate financing remains eligible to apply for

a zero-interest rate (hardship) determination and receive an interest rate subject to and in accordance with the applicable IUP.

C. The Authorized Officers and the Secretary to the Corporation are each hereby authorized to prepare, execute, acknowledge and deliver to each applicant a financing agreement for such applicant's Direct Financing (including any grant), in such form as shall be determined by any Authorized Officer, with such amendments, supplements, changes, insertions and omissions as may be approved by any Authorized Officer. The Chief Financial Officer and the Secretary to the Corporation are each hereby authorized to affix the seal of the Corporation on such documents and attest the same. The execution of such documents by an Authorized Officer or the Secretary to the Corporation shall be conclusive evidence of any approval or determination authorized or required by this Section 1.C or by Section 1.B of this Resolution.

Section 2. Financial Assistance Payments (WIIA Grants)

A. The Corporation has reviewed the information supplied by each applicant set forth in **Exhibit B** in connection with its application for a WIIA Grant.

B. To accomplish the purposes of WIIA and provide financial assistance payments to the WIIA Project recipients, the Corporation is hereby authorized to provide WIIA Grants, from appropriated funds to the applicants set forth in **Exhibit B** subject to continuing compliance with applicable law.

C. The Authorized Officers are each hereby authorized to determine the amount of each WIIA Grant (which amount shall not exceed the amounts authorized herein) and the terms thereof.

Section 3. General

A. All covenants, stipulations, obligations and agreements of the Corporation contained in this Resolution, and in any agreement, prepared pursuant to this Resolution, shall be deemed to be the covenants, stipulations, obligations and agreements of the Corporation to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the Corporation and its successors from time to time and upon any board or body to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the Corporation by the provisions of this Resolution, or by any financing agreement prepared pursuant to this Resolution, shall be exercised or performed by the Corporation or by such directors, officers, board or body as may be required by law to exercise such powers and to perform such duties.

B. No covenant, stipulation, obligation or agreement contained in this Resolution, or in any agreement prepared pursuant to this Resolution, shall be deemed a covenant, stipulation, obligation or agreement of any director, officer, agent or employee of the Corporation in his or her individual capacity and neither the Directors of the Corporation

nor any Authorized Officer or the Secretary to the Corporation executing any such financing agreement shall be liable personally thereon or be subject to personal liability by reason of the execution thereof.

C. The amount of each WIIA Grant (which amount shall not exceed the amounts authorized herein) and the terms thereof shall be determined by Authorized Officers.

D. The Authorized Officers and the Secretary to the Corporation are each individually authorized and directed to execute and deliver any such other agreements or instruments, to do and cause to be done any such other acts and things, and to make such other changes, omissions, insertions, revisions or amendments to each of the documents referred to in this Resolution as they may determine to be necessary or proper for carrying out, giving effect to and consummating the transactions contemplated by this Resolution and any financing agreement prepared pursuant to this Resolution.

E. This Resolution shall take effect immediately.

Exhibit A
DWSRF Direct Financings

Short-Term Market-Rate Financing(s)

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> (not to exceed) |
|---------------------------|------------------|---------------|--|--|---|
| 18333 | Menands (V) | Albany | \$2,094,120 | N/A | 6% |

Project Description

This project consists of the replacement of approximately 12,250 linear feet of water main in the South End neighborhood. The project is defined by the engineering report entitled "South End Neighborhood Water and Sanitary Sewer System Improvements" dated November 22, 2021 by the engineering firm LaBella Associates, as may be updated, amended, supplemented, and approved by the Agency.

Exhibit B
Financial Assistance Payment Recipient (Drinking Water WIIA Grants)

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> |
|-----------------------|--------------------------|---------------|-----------------------------|
| 19078 | Greenlawn Water District | Suffolk | \$3,230,400 |

Project Description

This project consists of the installation of an advanced oxidation process (AOP) system to treat 1,4-dioxane at Greenlawn Water District's Well No. 11. The AOP construction will include a UV reactor, hydrogen peroxide storage, piping to the existing train of GAC vessels, a new natural gas emergency generator, associated treatment piping and appurtenances, and a structure to house the equipment. Additionally, electrical and telemetry equipment will need to be integrated into the existing system. The project is defined by the engineering report entitled "Well No. 11 AOP" dated November 2021 by the engineering firm H2M Architects & Engineers, as may be updated, amended, supplemented, and approved by the Agency.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> |
|-----------------------|------------------------|---------------|-----------------------------|
| 19081 | Jericho Water District | Nassau | \$12,115,200 |

Project Description

This project consists of the installation of an advanced oxidation process (AOP) treatment system and a granular activated carbon (GAC) treatment system at the Stillwell Lane Facility Well Nos. 20 and 21 for the removal of 1,4- dioxane and perfluorooctanoic acid (PFOA). The AOP treatment system will include three new ultraviolet light/hydrogen peroxide AOP reactors. The existing GAC treatment system will be expanded from one set of two 12-foot diameter GAC vessels operated in parallel to two sets of two 12-foot diameter GAC vessels operated in series with 40,000 pounds of GAC media in each vessel. The project is defined by the engineering report entitled "1,4-Dioxane and PFOA Treatment at Wells 20 & 21" dated May 1, 2022 by the engineering firm D&B Engineers and Architects, as may be updated, amended, supplemented, and approved by the Agency.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> |
|-----------------------|------------------|---------------|-----------------------------|
| 18075 | Madison County | Madison | \$1,608,000 |

Project Description

This project consists of the creation of the new Clockville Water District No. 1 in the Town of Lincoln and Town of Lenox, associated water distribution mains, and an interconnection with Onondaga County Water Authority (OCWA) to serve the new water district. The project is defined by the engineering report entitled "Preliminary Engineering Report – Clockville Water District Extension No. 1" dated November 2021 by the engineering firm Barton & Loguidice as may be updated, amended, supplemented, and approved by the Agency.

| | | | |
|-----------------------|------------------|---------------|-----------------------------|
| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> |
| 18333 | Menands (V) | Albany | \$ 2,954,880 |

Project Description

This project consists of the replacement of approximately 12,250 linear feet of water main in the South End neighborhood. The project is defined by the engineering report entitled "South End Neighborhood Water and Sanitary Sewer System Improvements" dated November 22, 2021 by the engineering firm LaBella Associates, as may be updated, amended, supplemented, and approved by the Agency.

| | | | |
|-----------------------|------------------|---------------|-----------------------------|
| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> |
| 19012 | Sands Point (V) | Nassau | \$3,000,000 |

Project Description

This project consists of the installation of a new Granular Activated Carbon (GAC) treatment system for Wells 2A and 5A. The new GAC treatment system will include four GAC vessels of 20,000-lb capacity each; a new treatment building to house the GAC system; replacement of the chemical storage tank for sodium hydroxide for pH adjustment and improvements to the existing sodium hypochlorite chemical system for disinfection; and upgrades to the electrical and control systems. The project is defined by the engineering report entitled "Granular Activated Carbon Adsorption System at Wells 2A and 5A" dated August 2022 by the engineering firm D&B Engineers and Architects, as may be updated, amended, supplemented, and approved by the Agency.

| | | | |
|-----------------------|-------------------------------------|---------------|-----------------------------|
| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> |
| 18865 | Water Authority of Great Neck North | Nassau | \$3,000,000 |

Project Description

This project consisted of the installation of an advanced oxidation process (AOP) treatment system for the removal of 1,4-dioxane, and a granular activated carbon (GAC) treatment system for removal of perfluorooctanoic acid (PFOA). The project is defined by the engineering report entitled "Emerging Contaminant Treatment at Watermill Lane Facility" dated August 2021 by the engineering firm H2M architects + engineers as may be updated, amended, supplemented, and approved by the Agency.

INFORMATION SUMMARY

Action

Authorizing financial assistance payments to the following municipality from funds appropriated for intermunicipal water infrastructure projects under the Clean Water Infrastructure Act of 2017:

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> | <u>Source of Funding</u> |
|---------------------------|--------------------------------|---------------|---------------------------------|--------------------------|
| 18878 | Suffolk County Water Authority | Suffolk | \$2,701,692 | 2021 IMG Grant |

Project No. 18878
Suffolk County Water Authority
Suffolk County
Extend Distribution System

Recommended Action: Approval of a 2021 Intermunicipal Water Infrastructure Grants Program (IMG) Grant

| | | |
|---|-------------------------------------|--|
| Requested Authorization: | <u>Amount</u> \$2,701,692 | <u>Source/Type</u> 2021 IMG Grant |
| Funding Sources not Requiring Authorization: | \$3,500,000 | 2022 Congressional/EPA Earmark |
| Service Area Population: | 192 | Currently Metered System: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

Project Description:

This project consists of the construction of approximately 20,000 feet of 16", 12", 8" and 6" water mains to extend water service to 64 homes on Halsey Manor Road beginning at County Route 111 and extending north to Mill Road, then east to Doe Run, Primrose Path and associated side streets in Manorville, Town of Brookhaven. The existing privately-owned wells will be disconnected from each structure's internal plumbing system. Copper and HDPE water services will connect the water main with the structure being served; however, costs associated with the private service laterals are not eligible for funding with the Intermunicipal Grant. The project scope is further defined by the engineering report titled "Engineering Report – Distribution System Improvement", dated November 18, 2021, by the Suffolk County Water Authority as may be updated, amended, supplemented, and approved by the Agency.

Project Summary:

This project is addressing perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) groundwater contamination of private wells. PFOA/PFOS has been detected in the private wells within the Hamlet of Manorville in the Town of Brookhaven. Although there is no maximum contaminant level (MCL) for PFOA/PFOS in private wells, the levels detected exceed the PFOA/PFOS MCL of 10.0 ppt (ng/L) for public water systems. The SCWA proposes to construct new water main to connect the community of Manorville to the Authority's existing water system and provide Manorville residents with acceptable water quality.

Funding Summary:

Total project costs of \$7,528,087 will be funded with a 2021 Intermunicipal Water Infrastructure Grant in an amount up to \$2,701,692 (currently \$1,611,235), a 2022 Congressional/EPA Earmark in the amount of \$3,500,000 and a municipal contribution in the amount of \$2,416,852.

SEQR Findings:

The Corporation has determined that the proposed action will fund a project that constitutes "extension of utility distribution facilities, including...water or sewer connections to render service in approved subdivisions" which is a Type "II" action under SEQR, pursuant to 6 NYCRR Section 617.5(c)(13).

Construction Schedule:

| | | |
|--------------------|---------------------------|--------------------------------|
| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
| All Contracts | August 1, 2023 (T) | May 1, 2024 (T) |

RESOLUTION NO. [2982]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION AUTHORIZING FINANCIAL ASSISTANCE
PAYMENTS TO THE SUFFOLK COUNTY WATER AUTHORITY TO FUND
AN ELIGIBLE INTERMUNICIPAL WATER INFRASTRUCTURE PROJECT**

WHEREAS, pursuant to the New York State Environmental Facilities Corporation Act, being Chapter 744 of the Laws of 1970, constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, as amended (the "Act"), the New York State Environmental Facilities Corporation (the "Corporation") has been established as a body corporate and politic constituting a public benefit corporation; and

WHEREAS, the Clean Water Infrastructure Act of 2017, being Part T of Chapter 57 of the Laws of 2017 (the "Infrastructure Act") enacted Public Authorities Law Section 1285-s to establish the New York State Intermunicipal Water Infrastructure Grants Program ("IMG"), which authorizes and directs the Corporation to provide financial assistance payments, from funds appropriated for such purpose, for intermunicipal water quality infrastructure projects that serve multiple municipalities and may include a shared water quality infrastructure project or interconnection of multiple municipal water quality infrastructure projects ("IMG Grants"); and

WHEREAS, the Infrastructure Act, invested no less than \$150 million for purposes of IMG Grants and subsequent annual appropriations are available for additional support for intermunicipal water infrastructure projects; and

WHEREAS, pursuant to the IMG, a municipality is not required to accept State Revolving Fund financing from the Corporation to receive an IMG Grant; and

WHEREAS, the Corporation has completed an evaluation of the project set forth in Exhibit A (hereinafter referred to as the "Project"), determined that the Project constitutes an eligible "water quality infrastructure project" as defined in Public Authorities Law Section 1285-s, and otherwise meets the criteria for award of an IMG Grant; and

WHEREAS, the Corporation desires to provide an IMG Grant to the applicant listed in Exhibit A in support of water quality infrastructure projects in accordance with Public Authorities Law Section 1285-s and subject to continuing compliance with applicable law as will be more fully set forth in the closing documents for the financing of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

Section 1. Financial Assistance Payments (Grants)

A. The Corporation has reviewed the information supplied by the applicant set forth in Exhibit A in connection with its application for an IMG Grant.

B. To accomplish the purposes of the Infrastructure Act and Public Authorities Law Section 1285-s and provide financial assistance payments to the Project recipient, the Corporation is hereby authorized to provide an IMG Grant, from appropriated funds to the applicant set forth in Exhibit A subject to continuing compliance with applicable law.

The financial assistance payment shall not exceed the maximum amount of IMG Grant set forth in Exhibit A as approved under this Section 1.B.

Section 2. General

A. All covenants, stipulations, obligations and agreements of the Corporation contained in this Resolution, and in any agreement prepared pursuant to this Resolution, shall be deemed to be the covenants, stipulations, obligations and agreements of the Corporation to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the Corporation and its successors from time to time and upon any board or body to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the Corporation by the provisions of this Resolution, or by any financing agreement prepared pursuant to this Resolution, shall be exercised or performed by the Corporation or by such directors, officers, board or body as may be required by law to exercise such powers and to perform such duties.

B. No covenant, stipulation, obligation or agreement contained in this Resolution, or in any agreement prepared pursuant to this Resolution, shall be deemed a covenant, stipulation, obligation or agreement of any director, officer, agent or employee of the Corporation in his or her individual capacity and neither the Directors of the Corporation nor any Authorized Officer executing any such agreement shall be liable personally thereon or be subject to personal liability by reason of the execution thereof.

C. The amount of the IMG Grant (which amount shall not exceed the amount authorized herein) and the terms thereof shall be determined by either the President, any Vice President, Chief Financial Officer, General Counsel, or the Controller (collectively, the "Authorized Officers"). The Authorized Officers and the Secretary of the Corporation are each individually authorized and directed to execute and deliver any such other agreements or instruments, to do and cause to be done any such other acts and things, and to make such other changes, omissions, insertions, revisions, or amendments to each of the documents referred to in this Resolution as they may determine to be necessary or proper for carrying

out, giving effect to and consummating the transactions contemplated by this Resolution and any agreement prepared pursuant to this Resolution.

D. This Resolution shall take effect immediately.

Exhibit A
Financial Assistance Payment Recipient (IMG Grant)

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum Grant Amount</u> |
|-----------------------|--------------------------------|---------------|-----------------------------|
| 18878 | Suffolk County Water Authority | Suffolk | \$2,701,692 |

Project Description

This project consists of the construction of approximately 20,000 feet of 16", 12", 8" and 6" water mains to extend water service to 64 homes on Halsey Manor Road beginning at County Route 111 and extending north to Mill Road, then east to Doe Run, Primrose Path and associated side streets in Manorville, Town of Brookhaven. The existing privately-owned wells will be disconnected from each structure's internal plumbing system. Copper and HDPE water services will connect the water main with the structure being served; however, costs associated with the private service laterals are not eligible for funding with the Intermunicipal Grant. The project scope is further defined by the engineering report titled "Engineering Report – Distribution System Improvement", dated November 18, 2021, by the Suffolk County Water Authority as may be updated, amended, supplemented, and approved by the Agency.

INFORMATION SUMMARY

Action

Amendment of the financial assistance authorized to certain recipients in connection with funds made available through the Clean Water State Revolving Fund.

Additional Information

Extension of the Financing Maturity Date

Recipient: Albany Municipal Finance Authority / Albany County

Project No.: C4-5402-14-01

Description: Combined Sewer Overflow Long Term Control Plan

The Corporation's staff is seeking Board authorization to extend the maturity date of the short-term financing beyond the maximum period previously authorized so that the financing can be included in the 2024 pool.

Funding Increase

Recipient: Village of Corfu / Genesee County

Project No.: C8-6520-01-00

Description: Wastewater Treatment Plant Disinfection Improvements

The Corporation's staff is seeking Board authorization to provide additional funding to finance the project.

CWSRF Project No. C4-5402-14-01
Albany Municipal Finance Authority
Albany County
Combined Sewer Overflow Long Term Control Plan

Recommended Action: Approval of an extension of the maturity date for an existing Short-Term Interest-Free/Short-Term Market-Rate Financing from September 27, 2023 to December 31, 2024

| | <u>Amount</u> | <u>Source / Type</u> |
|---|----------------------|--|
| Previously Authorized: | \$4,595,074 | Short-Term Interest-Free |
| | \$2,910,831 | Short-Term Market-Rate |
| | \$2,501,969 | 2017 WIIA Grant |
| Other Funding Sources not Requiring Authorization: | \$ 500,000 | Integrated Solutions Construction Grant |
| | \$6,938,000 | Water Quality Improvement Project Grant (WQIP) |
| | \$1,000,000 | Green Innovate Grant Program (GIGP) |
| | \$ 213,630 | NYS Department of State Grant |

Estimated Green Project Reserve (GPR) Amount: N/A

Construction Completion Date: July 28, 2023 (T)

Project Description:

This project consisted of planning, design and construction of combined sewer overflow (CSO) abatement projects constructed in the Cities of Troy, Albany and Cohoes in support of the Albany Pool Combined Sewer Overflow Long Term Control Plan (LTCP). The project is defined by the engineering report entitled “Albany Pool CSO Long Term Control Plan” dated October 2013 by the Albany Pool Joint Venture Team that was approved by the New York State Department of Environmental Conservation (NYSDEC) on January 15, 2014 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on November 9, 2015.

Project Summary:

Six communities tributary to the Hudson River, collectively known as the Albany Pool Communities (APC), are collaborating to mitigate CSOs in Albany and Rensselaer Counties. The Albany Pool Communities are the City of Albany, City of Troy, City of Rensselaer, City of Cohoes, City of Watervliet, and the Village of Green Island. The APC entered into an Order on Consent (CO4-20120911-01) with NYSDCE on January 15, 2014. The Order on Consent mandates the completion of 53 projects and defines specific milestones for advancing each. The APC have adopted a fifteen-year Capital Improvement Plan (CIP) based upon the compliance schedule in the Order on Consent. The financing is intended to fund incurred planning and design costs, as well as construction costs for the following CSO abatement contracts: Outside Community Sewer Metering, Hoosick Street Stormwater Separation, 124th Street Stream Separation, Mereline Avenue Sewer Separation and Green Infrastructure, Columbia Street Phase II Sewer Separation and Green Infrastructure, Mohawk- Hudson Bike Trail Green Infrastructure Corridor Project, and Floatables Control Facility. Some construction contracts designed with this financing were funded through other sources. These projects will protect the water quality in the Hudson River and positively benefit environmental justice areas located throughout the Albany Pool Communities.

The project is further defined by the following plans and specifications:

- BMP-10 entitled “Outside Community Sewer Meter Project” originally dated September 29, 2017, revised February 2018 and further revised January 2019 by the engineering firm CDM Smith. The original documents were approved by the NYSDEC on November 20, 2017 and the revised documents were approved by the NYSDEC on February 8, 2019 and made eligible by the NYSEFC on June 10, 2019.
- SSS-07 entitled “Hoosick Street Stormwater Separation Project Phase II” originally dated September 29, 2017 and revised February 2018 by the engineering firm CDM Smith. The NYSDEC approved the original version on November 1, 2017. The revised set was made eligible by the NYSEFC on October 15, 2019.
- SSS-08 entitled “124th Street Stream Separation Project” dated February 2019 by the engineering firm CDM Smith that were approved by the NYSDEC on February 21, 2019 and made eligible by the NYSEFC on June 10, 2019.
- SSS-09 entitled “Mereline Avenue Sewer Separation and Stormwater Storage Project” dated February 2018 by the engineering firm Barton & Loguidice that were approved by the NYSDEC on March 6, 2019 and made eligible by the NYSEFC on June 19, 2019.
- SSS-10 entitled “Columbia Street Phase II Sewer Separation and Green Infrastructure” dated August 2021 by the engineering firm Arcadis that were approved by the NYSDEC on August 3, 2021 and made eligible by the NYSEFC on May 25, 2022.
- SSS-11 entitled “Polk Street Stream Separation Project” dated February 2022 by the engineering firm CHA that were approved and made eligible by the NYSEFC on May 9, 2023.
- SSS-12 entitled “Mohawk-Hudson Bike Trail Green Infrastructure Corridor Project” (Vliet Street) dated January 2022 by the engineering firm CHA that were approved and made eligible by the NYSEFC on February 10, 2022.
- STCF-01/02 entitled “Floatables Control Project” originally dated September 28, 2017 and revised January 2018 by the engineering firm CHA. The NYSDEC approved the original version on November 1, 2017. The revised set was made eligible by the NYSEFC on September 21, 2018.

CWSRF Project No. C8-6520-01-00
Village of Corfu
Genesee County
Wastewater Treatment Plant Disinfection Improvements

Recommended Action: Approval of an amendment of the Short-Term Interest-Free/Short-Term Market-Rate Financing to reflect a funding increase.

Previously Authorized:

| <u>Amount</u> | <u>Source/Type</u> |
|---------------|--------------------------|
| \$298,375 | Short-Term Interest-Free |
| \$620,000 | Short-Term Market-Rate |
| \$224,750 | 2019 WIIA Grant |

**Funding Sources not
Requiring Authorization:**

| <u>Amount</u> | <u>Source/Type</u> |
|---------------|---|
| \$620,000 | Water Quality Improvement Project Grant (WQIP) (prefinance) |

Requested Authorization:

| <u>Amount</u> | <u>Source/Type</u> |
|---------------|--------------------------|
| \$659,062 | Short-Term Interest-Free |
| \$620,000 | Short-Term Market-Rate |

**Funding Sources not
Requiring Authorization:**

| <u>Amount</u> | <u>Source/Type</u> |
|---------------|---|
| \$224,750 | 2019 WIIA Grant |
| \$620,000 | Water Quality Improvement Project Grant (WQIP) (prefinance) |

Estimated Green Project Reserve (GPR) Amount: NA

Estimated Long-Term Amount to be Financed: \$1,279,062

Hardship: Yes ☒ No ☐

Project Description:

This project consists of the planning, design and construction of a combined outfall and disinfection system at the Town of Pembroke and Village of Corfu Wastewater Treatment Plants (WWTP). The project is defined by the engineering report entitled “WWTP Disinfection Improvements” dated August 12, 2019, by the engineering firm MRB Group and the engineering report entitled “Village of Corfu and Town of Pembroke WWTP Disinfection Improvements” dated March 2022, by the engineering MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

Project Summary:

The Village of Corfu owns and operates a WWTP that has a permitted flow of 0.135 million gallons per day (MGD). The original WWTP was constructed in the late 1970's, with upgrades as recent as 2014, and includes mechanical fine bar screens, grit removal, aeration tanks, clarification, rapid sand filtration, post aeration and solids handling. In 2018 the New York State Department of Environmental Conservation (NYSDEC) issued a revised State Pollutant Discharge Elimination System (SPDES) permit containing a Schedule of Compliance that added a fecal coliform and total residual chlorine (TRC) effluent limit. In 2019, the Town of Pembroke constructed a 0.15 MGD WWTP adjacent to the Corfu WWTP that is also required to provide effluent disinfection on a seasonal basis.

This project proposes the installation of a new ultraviolet (UV) disinfection system and is being amended to change the recommended alternative such that the UV system will be designed to treat a combined flow from both the Village of Corfu and Town of Pembroke WWTPs. This project will involve redirecting the Village of Corfu outfall to the east and combining flows at a shared ultraviolet (UV) disinfection system at the Town of Pembroke outfall. The new UV disinfection system includes construction of a new concrete channel, overhead canopy structure, UV equipment, and electrical and control systems. The UV system will be sized for a combined peak hourly flow of 1.44 MGD and will provide system redundancy. The Village's existing outfall will be abandoned in place. The project will address the new effluent limits for both the Village of Corfu and the Town of Pembroke and protect water quality in Murder Creek.

The engineering reports were approved by the NYSDEC on August 28, 2019, and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on July 20, 2020, and approved by NYSDEC on November 8, 2022, and made eligible by NYSEFC on December 22, 2022, respectively.

This project was supported with an Engineering Planning Grant awarded in 2018 and serves a Disadvantaged Community (DAC).

Financing Summary:

On November 12, 2020, the Village closed on an SRF short-term financing which included a 2019 WIIA Grant in the amount of \$74,594 (authorized for an amount up to \$224,750), an SRF short-term interest-free financing in the amount of \$223,781 and an SRF short-term market-rate financing in the amount of \$620,000 which pre-finances a Water Quality Improvement Project (WQIP) grant in the same amount. The current financing is set to mature on November 12, 2025. Total project costs have increased to \$1,498,750 and will be funded with a 2019 WIIA grant in the amount up to \$224,750 (currently \$219,688), an SRF short-term interest-free financing in the amount of \$659,062, and SRF short-term market-rate financing in the amount of \$620,000 which pre-finances a Water Quality Improvement Project (WQIP) grant in the same amount. A total of \$96,892.20 has been disbursed. The Village plans to convert to an SRF long-term financing.

SEQR Findings:

The Corporation, on August 28, 2020, made a SEQR determination (Type II) in connection with the Village of Corfu's CWSRF Project No. C8-6520-01-00. This action amends an existing short-term financing and WIIA Grant package by providing a cost increase. There has been no change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| General | June 30, 2023 (T) | December 4, 2023 (T) |
| Electrical | June 30, 2023 (T) | December 4, 2023 (T) |

RESOLUTION NO. [2983]

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION AMENDING PRIOR AUTHORIZATIONS FOR
FINANCIAL ASSISTANCE TO BE PROVIDED BY THE CORPORATION TO
CERTAIN RECIPIENTS IN CONNECTION WITH THE CLEAN WATER
STATE REVOLVING FUND

Maturity Date Extension

Albany Municipal Finance Authority - Project No. C4-5402-14-01

WHEREAS, by Resolution No. 2580 adopted on June 28, 2018, the the Board of Directors (the "Board") authorized a short-term financing to be made by the Corporation to the Albany Municipal Finance Authority; and

WHEREAS, on July 25, 2018, the Public Authorities Control Board ("PACB") adopted Resolution No. 18-EF-743 approving the financing; and

WHEREAS, the financing is set to mature on September 27, 2023; and

WHEREAS, the Board desires to authorize extension of the maturity date of the Albany Municipal Finance Authority's financing to as set forth herein.

Funding Increase

Corfu (V) - Project No. C8-6520-01-00

WHEREAS, by Resolution No. 2774 adopted on October 15, 2020, the Board authorized a short-term financing to be made by the Corporation to the Village of Corfu for an aggregate principal amount not to exceed \$918,375; and

WHEREAS, on October 21, 2020, PACB adopted Resolution No. 20-EF-813 approving the financing; and

WHEREAS, the Board desires to amend the financial assistance authorized to the Village of Corfu to increase the maximum principal amount of the financing as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

Section 1. The Board hereby authorizes extension of the maturity date of the financing provided to the Albany Municipal Finance Authority from September 27, 2023 to December 31, 2024. All other authorizations, determinations, terms and conditions contained in Resolution No. 2580, and any amendments relating thereto, shall remain in effect.

Section 2. The Board hereby authorizes an increase in the maximum principal amount of the financing previously authorized to the Village of Corfu as set forth in Exhibit B. All other authorizations, determinations, terms and conditions contained in Resolution No. 2774, and any amendments relating thereto, shall remain in effect.

Section 3. This Resolution shall take effect immediately.

Exhibit A

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|---------------------------------------|---------------|--|--|--------------------------|
| C4-5402-14-01 | Albany Municipal Finance Authority | Albany | \$4,595,074 | N/A | 0% |

Project Description

This project consisted of planning, design and construction of combined sewer overflow (CSO) abatement projects constructed in the Cities of Troy, Albany and Cohoes in support of the Albany Pool Combined Sewer Overflow Long Term Control Plan (LTCP). The project is defined by the engineering report entitled "Albany Pool CSO Long Term Control Plan" dated October 2013 by the Albany Pool Joint Venture Team that was approved by the New York State Department of Environmental Conservation (NYSDEC) on January 15, 2014 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on November 9, 2015.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> (not to exceed) |
|-----------------------|---------------------------------------|---------------|--|--|---|
| C4-5402-14-01 | Albany Municipal Finance Authority | Albany | \$2,910,831 | N/A | 4% |

Project Description

This project consisted of planning, design and construction of combined sewer overflow (CSO) abatement projects constructed in the Cities of Troy, Albany and Cohoes in support of the Albany Pool Combined Sewer Overflow Long Term Control Plan (LTCP). The project is defined by the engineering report entitled "Albany Pool CSO Long Term Control Plan" dated October 2013 by the Albany Pool Joint Venture Team that was approved by the New York State Department of Environmental Conservation (NYSDEC) on January 15, 2014 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on November 9, 2015.

Exhibit B

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|--|--|--------------------------|
| C8-6520-01-00 | Corfu (V) | Genesee | \$659,062 | N/A | 0% |

Project Description

This project consists of the planning, design and construction of a combined outfall and disinfection system at the Town of Pembroke and Village of Corfu Wastewater Treatment Plants(WWTP). The project is defined by the engineering report entitled “WWTP Disinfection Improvements” dated August 12, 2019, by the engineering firm MRB Group and the engineering report entitled “Village of Corfu and Town of Pembroke WWTP Disinfection Improvements” dated March 2022, by the engineering MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> (not to exceed) |
|-----------------------|------------------|---------------|--|--|---|
| C8-6520-01-00 | Corfu (V) | Genesee | \$620,000 | N/A | 4% |

Project Description

This project consists of the planning, design and construction of a combined outfall and disinfection system at the Town of Pembroke and Village of Corfu Wastewater Treatment Plants(WWTP).The project is defined by the engineering report entitled “WWTP Disinfection Improvements” dated August 12, 2019, by the engineering firm MRB Group and the engineering report entitled “Village of Corfu and Town of Pembroke WWTP Disinfection Improvements” dated March 2022, by the engineering MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

INFORMATION SUMMARY

Action

Authorizing certain actions and/or financial assistance payments in connection with financing the following eligible clean water projects from funding made available through the Clean Water State Revolving Fund and/or from funds appropriated for the New York State Water Infrastructure Improvement Act:

Short-Term Interest-Free Financings:

Total: **\$4,245,338**

| <u>Project Number(s)</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|----------------------------------|------------------|---------------|--|--|--------------------------|
| C4-5648-01-00 | Menands (V) | Albany | \$2,609,338 | N/A | 0% |
| C8-6408-06-00 & C8-6408-06-01 | Newark (V) | Wayne | \$511,000 | \$511,000 | 0% |
| C8-6414-03-00 | Wayland (V) | Steuben | \$1,125,000 | N/A | 0% |

Short-Term Market-Rate Financings:

Total: **\$4,734,337**

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate (not to exceed)</u> |
|-----------------------|------------------|---------------|--|--|--|
| C4-5648-01-00 | Menands (V) | Albany | \$2,609,337 | N/A | 6% |
| C8-6414-03-00 | Wayland (V) | Steuben | \$2,125,000 | N/A | 6% |

Long-Term Interest-Free Financings:Total: **\$17,227,983**

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|---|--|--------------------------|
| C4-5294-01-00 | Fonda (V) | Montgomery | \$814,950 | N/A | 0% |
| C9-6702-02-00 | Fredonia (V) | Chautauqua | \$4,878,833 | N/A | 0% |
| C9-6661-04-00 | Middleport (V) | Niagara | \$155,714 | N/A | 0% |
| C8-6051-02-00 | Naples (V) | Ontario | \$4,812,577 | N/A | 0% |
| C8-6217-01-00 | Odessa (V) | Schuyler | \$4,071,125 | N/A | 0% |
| C4-5409-06-00 | Rensselaer (C) | Rensselaer | \$2,494,784 | N/A | 0% |

Long-Term Market-Rate Financings:Total: **\$6,904,042**

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> (not to exceed) |
|-----------------------|---|---------------|---|--|---|
| C4-7405-01-00 | Sleepy Hollow Lake Association of Property Owners, Inc. | Greene | \$6,904,042 | N/A | 8.25% |

Water Infrastructure Improvement Act Grants:Total: **\$2,457,325**

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Maximum WIIA Grant Amount</u> | <u>Source of Funding</u> |
|-----------------------|------------------|---------------|--------------------------------------|--------------------------|
| C4-5648-01-00 | Menands (V) | Albany | \$1,707,325 | 2021 WIIA Grant |
| C8-6414-03-00 | Wayland (V) | Steuben | \$750,000 | 2022 WIIA Grant |

CWSRF Financings: \$33,111,700
CWSRF Additional Subsidy \$ 511,000
CW WIIA Grants: \$ 2,457,325

Total: \$36,080,025

CWSRF Project No. C4-5294-01-00
Village of Fonda
Montgomery County
Sanitary Sewer System Improvements

Recommended Action: Approval of a Long-Term Interest-Free Financing

Previously Authorized

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|--------------------------|
| \$825,000 | Short-Term Interest-Free |
| \$275,000 | 2017 WIIA Grant |

Requested Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-------------------------|
| \$814,950 | Long-Term Interest-Free |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|----------------------|
| None | |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|----------------------|
| \$275,000 | 2017 WIIA Grant |

Estimated Green Project Reserve (GPR) Amount: N/A

Hardship: Yes ☒ No ☐

Project Description:

This project consisted of planning, design and construction of sanitary sewer improvements in the Village of Fonda. The project is defined by the engineering report entitled "Sanitary Sewer System Improvements" dated June 2017, revised April 16, 2018 by the engineering firm John M. McDonald Engineering and approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on April 17, 2018. The project is further defined by the plans and specifications entitled "Sanitary Sewer System Improvements" dated August 2019 by the engineering firm KB Group of NY, dba PRIME AE Group of NY, that were approved and made eligible by the NYSEFC on November 12, 2019.

Project Summary:

The Village of Fonda owns and operates a collection system that serves the Village of Fonda and a portion of the Town of Mohawk. The collection system flows by gravity to the Fonda-Fultonville wastewater treatment plant (WWTP) which has a permitted capacity of 1.2 million gallons per day (MGD) and a peak hydraulic capacity of 2.5 MGD. The existing collection system is constructed primarily of vitrified clay pipe (VCP) that has experienced root intrusion, collapsed pipes, offset joints, sewer backups, and significant inflow and infiltration (I/I).

This project included the replacement of 2,408 linear feet (LF) of sanitary sewer, 22 manholes, and 530 LF of sanitary sewer laterals along Upper and Lower Prospect Streets, Eagle Street, Montgomery Terrace, and Putnam Avenue. Along Putnam Ave, an additional 1,037 LF of existing sanitary sewer was lined. This project will protect water quality in the Mohawk River.

Financing Summary:

Total project costs of \$1,106,450 will be funded using a 2017 WIIA Grant of \$275,000 (\$198,368.39 disbursed to date), an SRF long-term interest-free hardship financing in the amount of \$814,950, and principal payments totaling \$16,500. This SRF long-term financing will refinance an SRF short-term financing in an amount to be determined (currently \$808,500) which closed September 27, 2018 and matures September 27, 2023.

SEQR Findings:

The Corporation, on May 31, 2018, made a SEQR determination (Type 1 – Negative Declaration) in connection with the Village of Fonda's CWSRF Project No. C4-5294-01-00. This action amends an existing short-term financing and WIIA. Grant package by converting it to a long-term financing. There has been no change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|-----------------------------------|---------------------------|--------------------------------|
| Contract 1 – General Construction | January 29, 2020 (A) | January 12, 2021 (A) |

CWSRF Project No. C9-6702-02-00
Village of Fredonia
Chautauqua County
Wastewater Treatment Plant Improvement Project Phase 1

Recommended Action: Approval of a Long-Term Interest-Free Financing

Previously Authorized

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|------------------------|
| \$3,607,960 | Short-Term Market-Rate |
| \$1,192,040 | 2017 WIIA Grant |

Requested Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-------------------------|
| \$4,878,833 | Long-Term Interest-Free |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|----------------------|
| None | |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|----------------------|
| \$1,192,040 | 2017 WIIA Grant |

Estimated Green Project Reserve (GPR) Amount: N/A

Hardship: Yes ☒ No ☐

Project Description:

This project consists of planning, design and construction of the Village of Fredonia's Wastewater Treatment Plant Improvement Project, Phase 1. The project is defined by the engineering report entitled "Wastewater Treatment Plant Capital Improvement Program Phase 1" dated June 2017, prepared by the engineering firm Wendel Engineers that was approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on January 17, 2018 and the engineering report entitled "Village of Fredonia WWTP Capital Improvement Program Engineering Report Amendment" dated November 2022 prepared by the engineering firm Wendel Engineers that was approved and made eligible by the NYSEFC on March 31, 2023. The project is further defined by the plans and specifications entitled "Wastewater Treatment Plant Improvements" dated November 2018 by the engineering firm Wendel Engineers that were approved and made eligible by the NYSEFC on September 24, 2019.

Project Summary:

The Village of Fredonia owns and operates a 3.3 million gallon per day (MGD) wastewater treatment plant (WWTP). Much of the equipment at the WWTP reached the end of its useful life and failed due to age or was experiencing increased maintenance requirements. The Village completed a Capital Improvements Program for the plant and recommended two phases. This financing includes Phase 1 improvements to replace the existing grit classifier and diffused air membranes; upgrade the tertiary filter and improve the filter backwash system; replace the return activated sludge pumps; install new belt filter presses for improved sludge handling; replace the screw pump; and upgrade electrical and HVAC equipment. These improvements are providing long-term operational reliability for the WWTP and maintaining water quality in Lake Erie.

Financing Summary:

Total project costs of \$6,213,373 will be funded with a 2017 WIIA Grant in the amount of \$1,192,040, an SRF long-term interest-free hardship financing in the amount of \$4,878,833, and principal payments totaling \$142,5000. The SRF long-term financing will refinance an SRF short-term financing in the amount of \$3,433,617 which closed October 18, 2018 and matures October 18, 2023.

SEQR Findings:

The Corporation, on May 15, 2018, made a SEQR determination (Type II) in connection with the Village of Fredonia's CWSRF Project No. C9-6702-02-00. This action amends an existing short-term financing and WIIA Grant package by converting it to a long-term financing. There has no material change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|-------------------------|---------------------------|--------------------------------|
| General Construction | September 23, 2019 (A) | July 1, 2023 (T) |
| Electrical Construction | September 23, 2019 (A) | July 1, 2023 (T) |

CWSRF Project No. C4-5648-01-00
Village of Menands
Albany County
South End Water and Sanitary System Improvements

Recommended Action: Approval of a Short-Term Interest-Free/Short-Term Market-Rate Financing and 2021 WIIA Grant

Short-Term Maturity: 3 Year ☐ 5 Year ☒

| | <u>Amount</u> | <u>Source / Type</u> |
|---------------------------------|---------------|--------------------------|
| Requested Authorization: | \$2,609,338 | Short-Term Interest-Free |
| | \$2,609,337 | Short-Term Market-Rate |
| | \$1,707,325 | 2021 WIIA Grant |

Funding Sources not Requiring Authorization: None

Estimated Green Project Reserve (GPR) Amount: N/A

Estimated Long-Term Amount to be Financed: \$5,218,675

Hardship: Yes ☐ No ☒

Project Description:

This project consists of planning, design and construction of water and sanitary system improvements in the South End Neighborhood. The project is defined by the engineering report entitled “South End Neighborhood Water and Sanitary Sewer System Improvements” dated November 22, 2021, revised April 21, 2023, by the engineering firm LaBella Associates, as may be updated, amended, supplemented, and approved by the Corporation.

Project Summary:

The Village of Menands owns and operates a collection system that serves the Village. The Village has an intermunicipal agreement with the Town of Colonie which allows the Town to convey sewage through a portion of the Village’s collection system. The collection system contributes an average daily flow of 1.3 million gallons per day (MGD) to the Albany County North Plant which has a permitted capacity of 35 MGD. The collection system in the South End Neighborhood consists of parallel vitrified clay pipe sewer lines that have reached the end of their useful life and experience significant inflow and infiltration (I/I). This project will reduce the stormwater/groundwater flows being conveyed to the Albany County North Plant which will support the overall goal to eliminate combined sewer overflows to the Hudson River.

The project includes the installation of approximately 10,000 linear feet (LF) of new 8-inch sewer to replace the parallel sewer lines on Hendrick Avenue, Highland Street, Hampton Street, Pawling Street, Kingston Street, Amsterdam Avenue, and Hutton Street. The existing manholes will be abandoned. The parallel water lines in these areas will also be replaced as part of Drinking Water State Revolving Fund (DWSRF) Project No. 18333.

The engineering report was approved by Environmental Facilities Corporation (NYSEFC) on April 25, 2023.

This project was supported with an Engineering Planning Grant awarded in 2017 and protects water quality in the Hudson River.

Financing Summary:

Total project costs of \$6,926,000 will be funded with a 2021 WIIA Grant in the amount of \$1,707,325 an SRF short-term interest-free financing in the amount of \$2,609,338 and an SRF short-term market-rate financing in the amount of \$2,609,337. The Village plans to convert to an SRF long-term financing.

SEQR Findings:

The Corporation has determined that the proposed action will fund a project that constitutes the "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site" which is a Type "II" action under SEQR, pursuant to 6 NYCRR Section 617.5(c)(2) and "actions related to existing infrastructure systems, minor upgrading, minor expansion, functional replacement of equipment, rehabilitation" which is a NEPA Categorical Exclusion pursuant to 40 CFR 6.204(a)(1)(ii).

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------------|---------------------------|--------------------------------|
| 1 – General Construction | August 31, 2023 (T) | December 1, 2024 (T) |

CWSRF Project No. C9-6661-04-00
Village of Middleport
Niagara County
Wastewater Treatment Plant Disinfection Project

Recommended Action: Approval of a Long-Term Interest-Free Financing

Previously Authorized

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|--------------------------|
| \$166,537 | Short-Term Interest-Free |
| \$327,950 | Short-Term Market-Rate |
| \$137,500 | 2019 WIIA Grant |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|---|
| \$327,950 | Water Quality Improvement Program (WQIP) Grant (prefinance) |

Requested Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-------------------------|
| \$155,714 | Long-Term Interest-Free |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|--|
| \$137,500 | 2019 WIIA Grant |
| \$304,133 | Water Quality Improvement Program (WQIP) Grant |

Estimated Green Project Reserve (GPR) Amount: N/A

Hardship: Yes ☒ No ☐

Project Description:

This project consisted of planning, design and construction of a disinfection system at the Village of Middleport Wastewater Treatment Plant (WWTP). The project is defined by the engineering report entitled “WWTP Disinfection Study” dated July 17, 2019 by the engineering firm Wendel Companies and Amendment to the engineering report dated January 30, 2020 by the engineering firm Wendel Companies that were approved by the New York State Department of Environmental Conservation (NYSDEC) on March 4, 2020 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on April 7, 2020. The project is further defined by the plans and specifications entitled “Wastewater Treatment Plant – UV Disinfection Upgrades” dated March 23, 2020 by the engineering firm Wendel Companies that were approved by the NYSDEC on May 13, 2020 and made eligible by the NYSEFC on May 15, 2020.

Project Summary:

The Village of Middleport owns and operates a WWTP that has a permitted flow of 0.7 million gallons per day (MGD) and peak hourly flow of 1.35 MGD. The original WWTP was constructed in the late 1960s, with upgrades as recent as 2018, and includes grit removal, primary settling, two trickling filters, two secondary settling tanks and two anaerobic digesters. The NYSDEC issued a Schedule of Compliance that added a fecal coliform and total residual chlorine (TRC) effluent limit.

This project consisted of installation of a new ultraviolet (UV) disinfection system that included retrofit of an existing chlorine contact tank, new flow channels, construction of a canopy structure, weirs, electrical and system controls. This project addressed the new effluent limits in the Schedule of Compliance and protects water quality in Jeddo Creek. The project serves a Potential Environmental Justice Area.

This project was supported with an Engineering Planning Grant awarded in 2018.

Financing Summary:

Total project costs of \$519,152.50 will be funded with a 2019 WIIA Grant in the amount of \$53,755 (\$27,757 disbursed to date) an SRF long-term interest-free hardship financing in the amount of \$155,714, proceeds received from the pre-financing of a NYSDEC Water Quality Improvement Program Grant in the amount of \$304,132.50 and a principal payment totaling \$5,551. This SRF long-term financing will refinance an SRF short-term financing in the amount of \$167,211.92 which closed December 3, 2020 and matures December 3, 2025.

SEQR Findings:

The Corporation, on April 27, 2020, made a SEQR determination (Type II) in connection with the Village of Middleport's CWSRF Project No. C9-6661-04-00. This action amends an existing short-term financing and WIIA Grant package by converting it to a long-term financing. There has been no change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| 1 - General | October 13, 2020 (A) | November 10, 2021 (A) |

CWSRF Project No. C8-6051-02-00
Village of Naples
Ontario County
Main Street Corridor Wastewater Collection and Treatment System

Recommended Action: Approval of a Long-Term Interest-Free Financing

Previously Authorized

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|---------------------------|
| \$4,852,577 | Short-Term Interest-Free |
| \$4,497,423 | Short-Term Market-Rate |
| \$1,500,000 | 2015 WIIA Grant - Round 2 |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|---|
| \$ 250,000 | State and Municipal Facilities Program Grant (SAM) (prefinance) |
| \$4,247,423 | Water Quality Improvement Project Grant (WQIP) (prefinance) |
| \$ 22,324 | Ontario County Local Development Grant |

Requested Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-------------------------|
| \$4,812,577 | Long-Term Interest-Free |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|--|
| \$1,500,000 | 2015 WIIA Grant – Round 2 |
| \$ 250,000 | State and Municipal Facilities Program Grant (SAM) |
| \$4,247,423 | Water Quality Improvement Project Grant (WQIP) |
| \$ 22,324 | Ontario County Local Development Grant |

Estimated Green Project Reserve (GPR) Amount: N/A

Hardship: Yes ☒ No ☐

Project Description:

This project consisted of planning, design and construction of a new collection system and wastewater treatment plant to serve the Village of Naples. The project is defined by the engineering report entitled “Municipal Wastewater System for Main Street Corridor” dated June 2013, last revised May 2017 by the engineering firm Hunt Engineers and approved by the New York State Department of Environmental Conservation (NYSDEC) on June 8, 2014 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on June 20, 2017. The project is further defined by the plans and specifications entitled “New Sanitary Sewer System and Wastewater Treatment Plant” dated April 10, 2019 by the engineering firm Hunt Engineers that were approved by the NYSDEC on August 15, 2019 and made eligible by the NYSEFC on August 19, 2019.

Project Summary:

The Village of Naples did not have a public sewer system and instead was served by approximately 500 individual septic systems throughout the Village that were beginning to fail. This project constructed a new collection system and 0.05 million gallons per day (MGD) wastewater treatment facility (WWTF). The collection system consists of 2,096 linear feet (LF) of 8-inch gravity sewer main, 4,755 LF of 2-inch low pressure force main, 3,680 LF of 4-inch sewer laterals, and associated manholes and grinder pumps. The new WWTF consists of a duplex influent pump station, primary clarifiers, equalization tanks, Algaewheel rotating biological contactor system, chemical dosing of alum for phosphorous removal, secondary clarifiers, tertiary filtration, ultraviolet (UV) disinfection, post-aeration, and sludge holding tanks. The outfall from this facility discharges to the Grimes Creek.

This project was supported with an Engineering Planning Grant awarded in 2012.

Financing Summary:

Total project costs of \$10,910,000 will be funded with a 2015 WIIA Grant – Round 2 in the amount of \$1,500,000, an SRF long-term interest-free hardship financing in the amount of \$4,812,577, a State and Municipal Facilities Program Grant in the amount of \$250,000, a NYS DEC Water Quality Improvement Project Grant in the amount of \$4,247,423, an Ontario County Local Development Corporation Grant in the amount of \$22,324.39, a municipal contribution in the amount of \$7,675.61 and principal payments totaling \$70,000. This SRF long-term financing will refinance an SRF short-term financing in the amount of \$4,782,577, which closed June 4, 2020, and matures November 29, 2024.

SEQR Findings:

The Corporation, on July 20, 2017, made a SEQR determination (Type 1 – Negative Declaration) in connection with the Village of Naples's CWSRF Project No. C8-6501-02-00. This action amends an existing short-term financing and WIIA Grant package by converting it to a long-term financing. There has been no change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|-----------------------------|---------------------------|--------------------------------|
| WWTP - General | July 18, 2019 (A) | December 9, 2021 (A) |
| WWTP - Electrical | July 18, 2019 (A) | December 9, 2021 (A) |
| WWTP - HVAC | July 18, 2019 (A) | December 9, 2021 (A) |
| WWTP - Plumbing | July 18, 2019 (A) | December 9, 2021 (A) |
| Collection System - General | July 24, 2019 (A) | December 9, 2021 (A) |

CWSRF Project No. C8-6408-06-00 & C8-6408-06-01
Village of Newark
Wayne County
Wastewater Treatment Plant Disinfection Improvements

Recommended Action: Approval of a Short-Term Interest-Free Financing and Federal Additional Subsidization

Short-Term Maturity: 3 Year ☐ 5 Year ☒

| | <u>Amount</u> | <u>Source / Type</u> |
|---------------------------------|---------------|----------------------------------|
| Requested Authorization: | \$161,800 | Short-Term Interest-Free |
| | \$349,200 | BIL-GS Short-Term Interest- Free |
| | \$511,000 | BIL-GS Grant |

Funding Sources not Requiring Authorization: \$1,000,000 Water Quality Improvement Project Grant (WQIP)

Estimated Green Project Reserve (GPR) Amount: N/A

Estimated Long-Term Amount to be Financed: \$511,000

Hardship: Yes ☒ No ☐

Project Description:

This project consists of planning, design and construction of wastewater treatment plant disinfection improvements for the Village of Newark. The project is defined by the engineering report entitled “Wastewater Treatment Plant Effluent Disinfection Improvements” dated March 2021 by the engineering firm MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

Project Summary:

The Village of Newark owns and operates a 3.0 million gallons per day (MGD) activated sludge wastewater treatment plant (WWTP) and collection system. The WWTP has an average daily flow of 0.35 MGD and a peak hourly flow up to 7.2 MGD. The major unit processes currently consist of headworks, primary lift stations, primary settling tanks, clarifiers, aeration tanks, screw lift pump stations, final clarifiers, primary and secondary digesters, ultraviolet (UV) disinfection concrete channel, belt filter press, blowers, and compost barn.

The New York State Department of Environmental Conservation (NYSDEC) modified the State Pollutant Discharge Elimination System (SPDES) permit to require seasonal effluent disinfection and to meet fecal coliform and total residual chlorine effluent limits. The proposed project will install the UV disinfection equipment with a canopy structure, repair slide gates, and install the weir gates at the screw pump station lift station to improve water quality in the New York State Barge Canal. The project will serve a Potential Environmental Justice Area (PEJA) and a Disadvantaged Community (DAC).

The engineering report was approved by the NYSDEC on October 18, 2022 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on October 19, 2022. The project is further defined by the plans and specifications entitled “Wastewater Treatment Plant Disinfection Improvements” dated February 2023 by the engineering firm MRB Group that were approved and made eligible by the NYSEFC on March 16, 2023.

This project was supported with an Engineering Planning Grant awarded in 2019.

Financing Summary:

Total project costs of \$2,022,000 will be financed with a BIL-GS Grant in the amount of \$511,000, a BIL-GS short-term interest-free hardship financing in the amount of \$349,200, a SRF short-term interest-free hardship financing in the amount of \$161,800, and a Water Quality Improvement (WQIP) Grant in the amount of \$1,000,000. The Village plans to convert to an SRF long-term financing.

SEQR Findings:

The Corporation has determined that the proposed action will finance a project which will not have a significant adverse impact on the environment: (1) DEC has issued a SERP Certification for the project; (2) no potentially significant adverse impacts have been identified; and (3) the Village of Newark, acting as lead agency, has issued a negative declaration.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|-------------------------|---------------------------|--------------------------------|
| General Construction | June 30, 2023 (T) | June 30, 2024 (T) |
| Electrical Construction | June 30, 2023 (T) | June 30, 2024 (T) |

CWSRF Project No. C8-6217-01-00
Village of Odessa
Schuyler County
Collection System and Wastewater Treatment Plant

Recommended Action: Approval of a Long-Term Interest-Free Financing

Previously Authorized

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|------------------------|
| \$3,554,625 | Short-Term Market-Rate |
| \$ 691,375 | 2017 WIIA Grant |

Funding Sources not Requiring Authorization

None

Requested Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-------------------------|
| \$4,071,125 | Long-Term Interest-Free |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-------------------------------------|
| \$ 691,375 | 2017 WIIA Grant |
| \$ 200,000 | USDA Rural Development ARC Grant |

Estimated Green Project Reserve (GPR) Amount: NA

Hardship: Yes ☒ No ☐

Project Description:

This project consisted of planning, design and construction of a new collection system and wastewater treatment plant to serve a portion of the Village of Odessa. The project is defined by the engineering report entitled "Village Sewer District Engineering Report" dated June 2020 by the engineering firm C&S Engineers, Inc. that was approved by the New York State Department of Environmental Conservation (NYSDEC) on July 6, 2020 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on July 20, 2020. The project is further defined by the plans and specifications entitled "Sanitary Sewer and Underground Infiltration System" dated June 2, 2021 by the engineering firm C&S Engineers, Inc. that were approved by the NYSDEC on July 8, 2021 and made eligible by the NYSEFC on August 2, 2021.

Project Summary:

The Village of Odessa was served by individual private septic systems, but due to small lot sizes and proximity of buildings to Catlin Mill Creek, the Schuyler County Department of Health placed a moratorium on constructing new septic systems in this area. Therefore, the Village chose to construct a new public sewer system to serve a portion of the Village where most of the commercial and public facilities are located. The new sewer service area is located along Main Street, College Avenue, and Church Street; and serves a public school and approximately 200 residents.

The project decommissioned existing septic systems serving properties in the sewer service area and installed 5,615 linear feet of 8-inch gravity sewers that convey flow to a new 15,000 gallons per day (GPD) subsurface wastewater treatment plant (WWTP). The plant consists of a vertical mechanical screen, septic tank for primary settling, and six (6) infiltration trench beds with associated dosing pump station for final treatment and discharge to groundwater.

Financing Summary:

Total project costs of \$4,995,000 will be funded with a 2017 WIIA grant in the amount of \$691,375, a USDA Rural Development ARC Grant in the amount of \$200,000, a principal payment in the amount of \$32,500, and an SRF long-term interest-free hardship financing in the amount of \$4,071,125. This SRF long-term financing will refinance an SRF short-term financing in an amount to be determined (currently \$3,522,125) which closed November 12, 2020 and matures November 12, 2025.

SEQR Findings:

The Corporation, on August 17, 2020, made a SEQR determination (Type I – Negative Declaration) in connection with the Village of Odessa's CWSRF Project No. C8-6217-01-00. This action amends an existing short-term financing by converting it to a long-term financing. There has been no change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|--------------------|---------------------------|--------------------------------|
| General Contract | June 25, 2021 (A) | March 17, 2023 (A) |

CWSRF Project No. C4-5409-06-00
City of Rensselaer
Rensselaer County
Sanitary Sewer Separation and Rehabilitation

Recommended Action: Approval of a Long-Term Interest-Free Financing

Previously Authorized

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|--------------------------|
| \$2,238,558 | Short-Term Interest-Free |
| \$ 661,947 | 2017 WIIA Grant |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|----------------------|
| None | |

Requested Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-------------------------|
| \$2,494,784 | Long-Term Interest-Free |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|--|
| \$661,947 | 2017 WIIA Grant |
| \$879,172 | Green Innovation Grant Program (GIGP) Grant |

Estimated Green Project Reserve (GPR) Amount: N/A

Hardship: Yes ☒ No ☐

Project Description:

This project consisted of design and construction of sanitary and storm sewer replacement and sanitary sewer rehabilitation within the Rensselaer County Sewer District No. 1 sewershed. The project is defined by the engineering report entitled “Sanitary Sewer Separation and Rehabilitation Project” dated March 2017 and revised March 2018, jointly prepared by engineering firms Adirondack Mountain Engineering, P.C. and Creighton Manning Engineering, LLP and was approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on April 30, 2018. The project is further defined by the plans and specifications entitled “East Street Sewer Separation and Renewal Project” dated September 9, 2018 by the engineering firm Creighton Manning Engineering, LLP that were approved and made eligible by the NYSEFC on November 14, 2018.

Project Summary:

The City of Rensselaer owns and operates a combined sanitary sewer system that flows to the Rensselaer County Sewer District (RCSD) No. 1 wastewater treatment plant (WWTP) which is permitted to discharge 24 million gallons per day (MGD). During periods of heavy rainfall, the combined sanitary and stormwater flow can result in discharges from Combined Sewer Overflows (CSOs) to adjacent surface water bodies. For this project, the City identified the following streets with sewers in need of significant rehabilitation: East Street, Second Avenue, Summit Street, Elm Street, and Herrick Street.

The project included cured-in-place-pipe (CIPP) lining of 4,700 linear feet (LF) of existing sanitary sewer and the replacement of an additional 1,350 LF of sanitary sewer. To better accommodate storm flows, 155 LF of storm sewer was replaced on East Street and 1,175 LF of new storm sewer was installed along Summit Street, Herrick Street, and Elm Street. Additionally, 19 new drainage structures were installed while 8 existing drainage structures were replaced. The project also included the decommissioning of CSO Number 003B. The project was completed in conjunction with roadway rehabilitation on East Street funded through state and federal highway funds, watermain replacement funded through the Drinking Water State Revolving Fund, and stormwater improvements funded through the Green Innovation Grant Program (GIGP) Project No. 1303.

This project protects water quality in the Hudson River and positively benefits an environmental justice area located within the City of Rensselaer.

Financing Summary:

Total project costs of \$4,193,070.66 will be funded with a 2017 WIIA Grant in the amount of \$661,947, an SRF long-term interest-free hardship financing in the amount of \$2,494,784, a Green Innovation Grant Program Grant in the amount of \$879,172.08, a municipal contribution in the amount of \$97,667.58, and principal payments totaling \$59,500. This SRF long-term financing will refinance an SRF short-term financing in an amount to be determined (currently \$1,438,675.85) which closed September 27, 2018 and matures September 27, 2023.

SEQR Findings:

The Corporation, on July 9, 2018, made a SEQR determination (Type II) in connection with the City of Rensselaer's CWSRF Project No. C4-5409-06-00. This action amends an existing short-term financing by converting it to a long-term financing. There has been no change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|------------------------------|---------------------------|--------------------------------|
| Contract 1 – E. Street Sewer | November 2, 2018 (A) | September 15, 2020 (A) |

CWSRF Project No. C4-7405-01-00
Sleepy Hollow Lake Association of Property Owners, Inc.
Greene County
Wastewater Treatment Plant Upgrade

Recommended Action: Approval of a Long-Term Market-Rate Financing

Previously Authorized

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|------------------------|
| \$7,014,558 | Short-Term Market-Rate |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|----------------------|
| None | |

Requested Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|-----------------------|
| \$6,904,042 | Long-Term Market-Rate |

Funding Sources not Requiring Authorization

| <u>Amount</u> | <u>Source / Type</u> |
|---------------|----------------------|
| None | |

Estimated Green Project Reserve (GPR) Amount: NA

Hardship: Yes ☐ No ☒

Project Description:

This project consisted of planning, design and construction of sanitary pump station and wastewater treatment plant (WWTP) upgrades. The project is defined by the engineering report entitled “Wastewater Treatment Plant Evaluation and Upgrade” dated September 1, 2016, revised June 19, 2017, by the engineering firm Delaware Engineering, D.P.C., that was approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on September 18, 2017. The engineering report amendment, dated January 3, 2022, was approved by the NYSEFC on January 10, 2022. The project is further defined by the plans and specifications entitled “Sanitary Pump Stations Upgrades” and “WWTP Upgrade Project” dated March 18, 2019, and June 2020, respectively. The plans and specifications were developed by the engineering firm Delaware Engineering and were approved by the NYSEFC on June 13, 2019, and January 25, 2021, respectively.

Project Summary:

The Sleepy Hollow Lake Association of Property Owners (SHL APO) owns and operates a WWTP and collection system permitted to discharge 115,000 gallons per day (GPD) with an average daily flow of 55,000 GPD. The WWTP and collection system were constructed in the early 1970s to provide collection, conveyance, and treatment of wastewater generated within the SHL APO. The SHL APO wastewater collection system consists of three pump stations and a low-pressure sewer system. The WWTP lacked the redundancy required to provide reliable treatment.

The project included the construction of a headworks building complete with a mechanical screen, chemical feed and odor control system; a new solids handling building with a sludge press; and a fully automated Supervisory Control and Data Acquisition (SCADA) system. The digesters, equalization tanks, and the two extended aeration package plants, known as Can-Tex units, were also upgraded. Pump Station No. 1 was completely rebuilt with new wetwells, electrical, architectural, and mechanical systems. Pump Station No. 3 received upgraded mechanical and electrical components. Odor control was installed at both pump stations. Pump Station No. 2 was removed from service when upgrades began on Pump Station No. 1 in February 2020 and was later demolished.

This project will protect water quality in the Hudson River.

Financing Summary:

Total project costs of \$7,550,726.50 will be funded with a \$6,904,042 CWSRF long-term market-rate financing, a \$189,957.50 Sleepy Hollow Lake contribution, \$350,727 local debt service reserve fund, and principal payments totaling \$106,000. The recipient has established a local debt service reserve fund (LDSRF) with EFC's trustee, at its own expense, which consists of contributions equaling 5% of each SRF short-term disbursement amount released. The Association is expected to make the Long-Term LDSRF whole if the LDSRF established with the short term 5% contributions is not adequate to support total project costs financed with LT. These funds will remain in the LDSRF until long-term conversion and will be used to fund the long-term reserve requirement. If the LDSRF falls below the requirement, a penalty rate will be applied and a special condition will require a lockbox mechanism to maintain such requirement.

SEQR Findings:

The Corporation, on April 6, 2018, made a SEQR determination (Type I – Negative Declaration) in connection with the Sleepy Hollow Lake Homeowners Association's Project No. C4-7405-01-00 (reaffirmed on January 18, 2022). This action amends an existing short-term financing by converting it to a long-term financing. There has been no change in project scope. Therefore, the Corporation affirms the previous SEQR determination.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|------------------------------------|---------------------------|--------------------------------|
| 1 – Sanitary Pump Station Upgrades | July 2, 2019 (A) | March 17, 2020 (A) |
| 1G – WWTP Upgrades | October 13, 2020 (A) | November 22, 2022 (A) |

CWSRF Project No. C8-6414-03-00
Village of Wayland
Steuben County
Wastewater Treatment Plant Effluent Disinfection

Recommended Action: Approval of a Short-Term Interest-Free/Short-Term Market-Rate Financing and 2022 WIIA Grant

Short-Term Maturity: 3 Year ☐ 5 Year ☒

| | <u>Amount</u> | <u>Source / Type</u> |
|---|---------------|---|
| Requested Authorization: | \$1,125,000 | Short-Term Interest-Free |
| | \$2,125,000 | Short-Term Market-Rate |
| | \$ 750,000 | 2022 WIIA Grant |
| Funding Sources not Requiring Authorization: | \$1,000,000 | Water Quality Improvement Project Grant (WQIP) (prefinance) |

Estimated Green Project Reserve (GPR) Amount: N/A

Estimated Long-Term Amount to be Financed: \$2,250,000

Hardship: Yes ☐ No ☒

Project Description:

This project consists of planning, design and construction of wastewater treatment plant improvements for the Village of Wayland. The project is defined by the engineering report entitled “Wastewater Treatment Plant Effluent Disinfection Study” dated October 9, 2021 by the engineering firm MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

Project Summary:

The Village of Wayland owns and operates a 0.35 million gallon per day (MGD) wastewater treatment plant (WWTP) and collection system. The WWTP has an average daily flow of 0.35 MGD and a peak hourly flow up to 1.0 MGD. The major unit processes currently consist of headworks (comminutor, bar screen, grit chamber), influent pit, raw water pumps, lift pumps, primary clarifiers, activated sludge aeration basins, secondary clarifiers, tertiary sand filters, post-aeration tank, aerobic sludge digesters, sludge dewatering belt filter press, and blowers.

The New York State Department of Environmental Conservation (NYSDEC) modified the State Pollutant Discharge Elimination System (SPDES) permit to require seasonal effluent disinfection and to meet fecal coliform and total residual chlorine effluent limits by May 1, 2024.

The proposed project will replace the headworks comminutor, bar screen, and grit chamber; replace the existing sludge dewatering belt filter press; install a new ultraviolet (UV) disinfection system to comply with the modified SPDES permit; replace the existing 350 kilowatt (kW) diesel emergency generator with a new correctly-sized 200 kW diesel emergency generator; and replace the existing roof at Building 1. The project will improve water quality in tributaries to Marl Bed Pond.

The engineering report was approved by the NYSDEC on January 5, 2023 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on February 1, 2023. The project is further defined by the plans and specifications entitled “WWTP Disinfection and Misc. Improvements” dated October 2022 by the engineering firm MRB Group that were approved by the NYSDEC on February 23, 2023 and made eligible by the NYSEFC on February 23, 2023.

This project was supported with an Engineering Planning Grant awarded in 2018.

Financing Summary:

Total project costs of \$4,000,000 will be funded with a 2022 WIIA Grant in the amount of \$750,000, an SRF short-term interest-free financing in the amount of \$1,125,000, and an SRF short-term market-rate financing in the amount of \$2,125,000, \$1,000,000 of which will pre-finance a Water Quality Improvement Project Grant of the same amount. The Town plans to convert to an SRF long-term financing.

SEQR Findings:

The Corporation has determined that the proposed action will finance a project which will not have a significant adverse impact on the environment: (1) DEC has issued a SERP Certification for the project; (2) no potentially significant adverse impacts have been identified; and (3) the Village of Wayland, acting as lead agency, has issued a negative declaration.

Construction Schedule:

| <u>Description</u> | <u>Construction Start</u> | <u>Construction Completion</u> |
|-------------------------|---------------------------|--------------------------------|
| General Construction | June 30, 2023 (T) | June 30, 2024 (T) |
| Electrical Construction | June 30, 2023 (T) | June 30, 2024 (T) |
| HVAC Construction | June 30, 2023 (T) | June 30, 2024 (T) |

RESOLUTION NO. [2984]

A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE CLEAN WATER STATE REVOLVING FUND AND AUTHORIZING FINANCIAL ASSISTANCE PAYMENTS TO CERTAIN MUNICIPALITIES TO FUND ELIGIBLE CLEAN WATER PROJECTS FROM FUNDS APPROPRIATED FOR WATER INFRASTRUCTURE IMPROVEMENT PROJECTS

WHEREAS, pursuant to the New York State Environmental Facilities Corporation Act, being Chapter 744 of the Laws of 1970 constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, as amended (the "Act"), the New York State Environmental Facilities Corporation (the "Corporation") has been established as a body corporate and politic constituting a public benefit corporation; and

WHEREAS, pursuant to Chapter 565 of the Laws of New York of 1989, as amended (the "CWSRF Act") and the Federal Water Pollution Control Act 33 USC 1383 (the "Clean Water Act"), the Clean Water State Revolving Fund ("CWSRF") was established in the custody of the Corporation; and

WHEREAS, the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (2021), also referred to as the Bipartisan Infrastructure Law, ("IIJA" or "BIL") reauthorizes and amends funding levels and certain provisions in the Clean Water Act; and

WHEREAS, the Corporation is charged with providing low-cost financing to eligible recipients while maintaining the fiscal integrity of the CWSRF; and

WHEREAS, each of the applicants listed in **Exhibit A** hereto has submitted an application to the Corporation for financial assistance under the CWSRF Act, for the purpose of financing or refinancing projects eligible for assistance under the Clean Water Act and undertaken and completed or to be undertaken and completed by such applicants; and

WHEREAS, each project proposed to be financed or refinanced by such applicants through the short-term interest-free, short-term market-rate or long-term financings and/or additional subsidies descriptions of which are set out in **Exhibit A** hereto (collectively, the "CWSRF Projects") constitute an "eligible project" within the meaning of the CWSRF Act and the Clean Water Act, including, but not limited to, amendments under BIL; and

WHEREAS, with respect to the amounts identified in **Exhibit A**, the Corporation has, where necessary, identified funds available in excess of the amounts listed in the

Intended Use Plan (the “IUP”) or has made such moneys available through by-pass as provided in the IUP; and

WHEREAS, with respect to the short-term market-rate financings, available funds within the CWSRF have been identified, and in the future the Corporation may seek the Board of Directors’ approval to issue its Corporation Bonds to fund any such projects; and

WHEREAS, the Corporation desires to provide such short-term interest-free, short-term market-rate or long-term interest-free financings to the respective applicants, in accordance with the terms and conditions set forth in **Exhibit A**, and as will be more fully set forth in the closing documents for the financings (the “Direct Financings”); and

WHEREAS, the New York State Water Infrastructure Improvement Act of 2015, being Part G of Chapter 60 of the Laws of 2015 (“WIIA 2015”), and the Clean Water Infrastructure Act of 2017, being Part T of Chapter 57 of the Laws of 2017 (the “Infrastructure Act”) each authorizes and directs the Corporation to provide financial assistance payments (“Grants”), from funds appropriated for such purpose, to municipalities in support of water quality infrastructure projects; and

WHEREAS, \$400 million was appropriated over a three-year period for the purposes of WIIA 2015, and no less than \$1 billion was appropriated for purposes of funding water infrastructure improvement projects under the Infrastructure Act; and

WHEREAS, subsequent annual appropriations have been made available for the purpose of providing Grants to municipalities in support of water infrastructure improvement projects;

WHEREAS, preference for award of Grants shall be given to municipalities that meet the Corporation’s hardship criteria and projects that result in the greatest water quality improvement or greatest reduction in serious risk to public health; and

WHEREAS, the Corporation has completed an evaluation of the projects set forth in **Exhibit B** (hereinafter referred to as the “WIIA Projects”), determined that each WIIA Project constitutes an eligible “water quality infrastructure project” as defined in WIIA, and otherwise meets the criteria for award of a WIIA Grant; and

WHEREAS, the Corporation desires to provide WIIA Grants to the applicants listed in **Exhibit B** in support of water quality infrastructure projects in accordance with WIIA and subject to continuing compliance with applicable law as will be more fully set forth in the closing documents for the financing of each WIIA Project.

WHEREAS, pursuant to WIIA, a municipality is not required to accept CWSRF financing from the Corporation to receive a WIIA Grant; however, municipalities often seek CWSRF financing in addition to their WIIA grant to fund the total cost of their project; and

WHEREAS, for any CWSRF Project or WIIA Project subject to Article 6 of the Environmental Conservation Law, or the State Smart Growth Public Infrastructure Policy

Act, the President has attested in a written Smart Growth Impact Statement that the project meets the relevant criteria as set forth in the Smart Growth Public Infrastructure Policy Act to the extent practicable or, if a Project does not meet the relevant criteria and compliance is considered impracticable, has provided a detailed statement of justification; and

NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:

SECTION 1. Short-Term and Long-Term Financings and Additional Subsidies

A. The Corporation has reviewed the information supplied by each financing applicant, set forth in **Exhibit A**, in connection with its application for CWSRF financial assistance, and the Corporation hereby determines that it would be impracticable or inadvisable to finance all or a portion of the costs of the CWSRF Projects from the proceeds of bonds or notes that are special obligations of the Corporation. The filing of the determination contained in this Section 1.A in accordance with, and to the extent required by, applicable law and regulations by or at the direction of an officer of the Corporation is hereby authorized and confirmed.

B. To accomplish the purposes of the Act, the Clean Water Act, and the CWSRF Act, and to provide for the financing or refinancing of the CWSRF Projects, the Corporation is hereby authorized to provide the Direct Financings and/or the additional subsidies, from monies in the CWSRF, to the applicants listed in **Exhibit A** in compliance with applicable law. Each Direct Financing shall be in a principal amount not exceeding the principal amount set forth opposite the name of the applicant in **Exhibit A** and shall bear interest at rates not in excess of those set forth in **Exhibit A**. Each short-term Direct Financing shall mature not later than five years from the date of the closing of such short-term Direct Financing. Principal amounts and maturities are to be determined by either the President, any Vice President, Chief Financial Officer, General Counsel, or Controller (collectively, the "Authorized Officers") of the Corporation.

The Corporation is further authorized to guarantee the payment of each short-term market-rate financing from monies and assets held in the CWSRF, each short-term market-rate financing shall be in a principal amount not exceeding the principal amount set forth opposite the name of the applicant in **Exhibit A**; shall mature not later than five years from the date of the closing of such short-term market-rate financing; and shall initially bear interest at a rate or rates not in excess of those set forth in **Exhibit A** and as may be determined by any Authorized Officer from time to time in accordance with the provisions of the financing agreement. Each short-term market-rate financing shall remain eligible to compete for and receive an interest rate subsidy if authorized in the current IUP and in the event that the project score so qualifies under such IUP, which subsidy shall be provided in accordance with the provisions of the financing agreement. Further, if authorized in the IUP, each short-term market-rate financing remains eligible to apply for a zero-interest rate (hardship) determination and receive interest rate subject to and in accordance with the applicable IUP.

C. The Authorized Officers and the Secretary to the Corporation are each hereby authorized to prepare, execute, acknowledge and deliver to each applicant a financing agreement for such applicant's Direct Financing (including any grants), in such form as shall be determined by any Authorized Officer, with such amendments, supplements, changes, insertions and omissions as may be approved by any Authorized Officer. The Chief Financial Officer and the Secretary to the Corporation are each hereby authorized to affix the seal of the Corporation on such documents and attest the same. The execution of such documents by an Authorized Officer or the Secretary to the Corporation shall be conclusive evidence of any approval or determination authorized or required by this Section 1.C or by Section 1.B of this Resolution.

SECTION 2. Financial Assistance Payments (WIIA Grants)

A. The Corporation has reviewed the information supplied by each applicant set forth in **Exhibit B** in connection with its application for a WIIA Grant.

B. To accomplish the purposes of WIIA and provide financial assistance payments to the WIIA Project recipients, the Corporation is hereby authorized to provide WIIA Grants, from appropriated funds, to the applicants set forth in **Exhibit B** subject to continuing compliance with applicable law.

C. The Authorized Officers are each hereby authorized to determine the amount of each WIIA Grant (which amount shall not exceed the amounts authorized herein) and the terms thereof.

SECTION 3. General

A. All covenants, stipulations, obligations and agreements of the Corporation contained in this Resolution, and in any agreement prepared pursuant to this Resolution, shall be deemed to be the covenants, stipulations, obligations and agreements of the Corporation to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the Corporation and its successors from time to time and upon any board or body to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the Corporation by the provisions of this Resolution, or by any financing agreement prepared pursuant to this Resolution, shall be exercised or performed by the Corporation or by such directors, officers, board or body as may be required by law to exercise such powers and to perform such duties.

B. No covenant, stipulation, obligation or agreement contained in this Resolution, or in any agreement prepared pursuant to this Resolution, shall be deemed a covenant, stipulation, obligation or agreement of any director, officer, agent or employee of the Corporation in his or her individual capacity and neither the Directors of the Corporation nor any Authorized Officer or the Secretary to the Corporation executing any such financing agreement shall be liable personally thereon or be subject to personal liability by reason of the execution thereof.

C. The amount of each WIIA Grant (which amount shall not exceed the amounts authorized herein) and the terms thereof shall be determined by the Authorized Officers.

D. The Authorized Officers and the Secretary to the Corporation are each individually authorized and directed to execute and deliver any such other agreements or instruments, to do and cause to be done any such other acts and things, and to make such other changes, omissions, insertions, revisions or amendments to each of the documents referred to in this Resolution as they may determine to be necessary or proper for carrying out, giving effect to and consummating the transactions contemplated by this Resolution and any financing agreement prepared pursuant to this Resolution.

E. This Resolution shall take effect immediately.

Exhibit A
CWSRF Direct Financings

Short-Term Interest-Free Financing(s):

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|--|--|--------------------------|
| C4-5648-01-00 | Menands (V) | Albany | \$2,609,338 | N/A | 0% |

Project Description

This project consists of planning, design and construction of water and sanitary system improvements in the South End Neighborhood. The project is defined by the engineering report entitled "South End Neighborhood Water and Sanitary Sewer System Improvements" dated November 22, 2021, revised April 21, 2023, by the engineering firm LaBella Associates, as may be updated, amended, supplemented, and approved by the Corporation.

| <u>Project Numbers</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|----------------------------------|------------------|---------------|--|--|--------------------------|
| C8-6408-06-00 & C8-6408-06-01 | Newark (V) | Wayne | \$511,000 | \$511,000 | 0% |

Project Description

This project consists of planning, design and construction of wastewater treatment plant disinfection improvements for the Village of Newark. The project is defined by the engineering report entitled "Wastewater Treatment Plant Effluent Disinfection Improvements" dated March 2021 by the engineering firm MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|--|--|--------------------------|
| C8-6414-03-00 | Wayland (V) | Steuben | \$1,125,000 | N/A | 0% |

Project Description

This project consists of planning, design and construction of wastewater treatment plant improvements for the Village of Wayland. The project is defined by the engineering report entitled "Wastewater Treatment Plant Effluent Disinfection Study" dated October 9, 2021 by the engineering firm MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

Short-Term Market-Rate Financing(s)

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> (not to exceed) |
|-----------------------|------------------|---------------|--|--|---|
| C4-5648-01-00 | Menands (V) | Albany | \$2,609,337 | N/A | 6% |

Project Description

This project consists of planning, design and construction of water and sanitary system improvements in the South End Neighborhood. The project is defined by the engineering report entitled "South End Neighborhood Water and Sanitary Sewer System Improvements" dated November 22, 2021, revised April 21, 2023, by the engineering firm LaBella Associates, as may be updated, amended, supplemented, and approved by the Corporation.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Short-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> (not to exceed) |
|-----------------------|------------------|---------------|--|--|---|
| C8-6414-03-00 | Wayland (V) | Steuben | \$2,125,000 | N/A | 6% |

Project Description

This project consists of planning, design and construction of wastewater treatment plant improvements for the Village of Wayland. The project is defined by the engineering report entitled "Wastewater Treatment Plant Effluent Disinfection Study" dated October 9, 2021 by the engineering firm MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

Long-Term Interest-Free Financing(s):

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|---|--|--------------------------|
| C4-5294-01-00 | Fonda (V) | Montgomery | \$814,950 | N/A | 0% |

Project Description

This project consisted of planning, design and construction of sanitary sewer improvements in the Village of Fonda. The project is defined by the engineering report entitled "Sanitary Sewer System Improvements" dated June 2017, revised April 16, 2018 by the engineering firm John M. McDonald Engineering and approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on April 17, 2018. The project is further defined by the plans and specifications entitled "Sanitary Sewer System Improvements" dated August 2019 by the engineering firm KB Group of NY, dba PRIME AE Group of NY, that were approved and made eligible by the NYSEFC on November 12, 2019.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|---|--|--------------------------|
| C9-6702-02-00 | Fredonia (V) | Chautauqua | \$4,878,833 | N/A | 0% |

Project Description

This project consists of planning, design and construction of the Village of Fredonia's Wastewater Treatment Plant Improvement Project, Phase 1. The project is defined by the engineering report entitled "Wastewater Treatment Plant Capital Improvement Program Phase 1" dated June 2017, prepared by the engineering firm Wendel Engineers that was approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on January 17, 2018 and the engineering report entitled "Village of Fredonia WWTP Capital Improvement Program Engineering Report Amendment" dated November 2022 prepared by the engineering firm Wendel Engineers that was approved and made eligible by the NYSEFC on March 31, 2023. The project is further defined by the plans and specifications entitled "Wastewater Treatment Plant Improvements" dated November 2018 by the engineering firm Wendel Engineers that were approved and made eligible by the NYSEFC on September 24, 2019.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|---|--|--------------------------|
| C9-6661-04-00 | Middleport (V) | Niagara | \$155,714 | N/A | 0% |

Project Description

This project consisted of planning, design and construction of a disinfection system at the Village of Middleport Wastewater Treatment Plant (WWTP). The project is defined by the engineering report entitled "WWTP Disinfection Study" dated July 17, 2019 by the engineering firm Wendel Companies and Amendment to the engineering report dated January 30, 2020 by the engineering firm Wendel Companies that were approved by the New York State Department of Environmental Conservation (NYSDEC) on March 4, 2020 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on April 7, 2020. The project is further defined by the plans and specifications entitled "Wastewater Treatment Plant – UV Disinfection Upgrades" dated March 23, 2020 by the engineering firm Wendel Companies that were approved by the NYSDEC on May 13, 2020 and made eligible by the NYSEFC on May 15, 2020.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|---|--|--------------------------|
| C8-6051-02-00 | Naples (V) | Ontario | \$4,812,577 | N/A | 0% |

Project Description

This project consisted of planning, design and construction of a new collection system and wastewater treatment plant to serve the Village of Naples. The project is defined by the engineering report entitled "Municipal Wastewater System for Main Street Corridor" dated June 2013, last revised May 2017 by the engineering firm Hunt Engineers and approved by the New York State Department of Environmental Conservation (NYSDEC) on June 8, 2014 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on June 20, 2017. The project is further defined by the plans and specifications entitled "New Sanitary Sewer System and Wastewater Treatment Plant" dated April 10, 2019 by the engineering firm Hunt Engineers that were approved by the NYSDEC on August 15, 2019 and made eligible by the NYSEFC on August 19, 2019.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|---|--|--------------------------|
| C8-6217-01-00 | Odessa (V) | Schuyler | \$4,071,125 | N/A | 0% |

Project Description

This project consisted of planning, design and construction of a new collection system and wastewater treatment plant to serve a portion of the Village of Odessa. The project is defined by the engineering report entitled "Village Sewer District Engineering Report" dated June 2020 by the engineering firm C&S Engineers, Inc. that was approved by the New York State Department of Environmental Conservation (NYSDEC) on July 6, 2020 and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on July 20, 2020. The project is further defined by the plans and specifications entitled "Sanitary Sewer and Underground Infiltration System" dated June 2, 2021 by the engineering firm C&S Engineers, Inc. that were approved by the NYSDEC on July 8, 2021 and made eligible by the NYSEFC on August 2, 2021.

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Interest-Free Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> |
|-----------------------|------------------|---------------|---|--|--------------------------|
| C4-5409-06-00 | Rensselaer (C) | Rensselaer | \$2,494,784 | N/A | 0% |

Project Description

This project consisted of design and construction of sanitary and storm sewer replacement and sanitary sewer rehabilitation within the Rensselaer County Sewer District No. 1 sewershed. The project is defined by the engineering report entitled "Sanitary Sewer Separation and Rehabilitation Project" dated March 2017 and revised March 2018, jointly prepared by engineering firms Adirondack Mountain Engineering, P.C. and Creighton Manning Engineering, LLP and was approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on April 30, 2018. The project is further defined by the plans and specifications entitled "East Street Sewer Separation and Renewal Project" dated September 9, 2018 by the engineering firm Creighton Manning Engineering, LLP that were approved and made eligible by the NYSEFC on November 14, 2018.

Long-Term Market-Rate Financing(s):

| <u>Project Number</u> | <u>Applicant</u> | <u>County</u> | <u>Long-Term Market-Rate Financing Maximum Principal Amount</u> | <u>Maximum Amount Additional Subsidy</u> | <u>Interest Rate</u> (not to exceed) |
|-----------------------|---|---------------|---|--|---|
| C4-7405-01-00 | Sleepy Hollow Lake Association of Property Owners, Inc. | Greene | \$6,904,042 | N/A | 8.25% |

Project Description

This project consisted of planning, design and construction of sanitary pump station and wastewater treatment plant (WWTP) upgrades. The project is defined by the engineering report entitled "Wastewater Treatment Plant Evaluation and Upgrade" dated September 1, 2016, revised June 19, 2017, by the Engineering firm Delaware Engineering, D.P.C., that was approved and made eligible by the New York State Environmental Facilities Corporation (NYSEFC) on September 18, 2017. The engineering report amendment, dated January 3, 2022, was approved by the NYSEFC on January 10, 2022. The project is further defined by the plans and specifications entitled "Sanitary Pump Stations Upgrades" and "WWTP Upgrade Project" dated March 18, 2019, and June 2020, respectively. The plans and specifications were developed by the engineering firm Delaware Engineering and were approved by the NYSEFC on June 13, 2019, and January 25, 2021, respectively.

Exhibit B
Financial Assistance Payment Recipient (Clean Water WIIA Grants)

| Project Number | Applicant | County | Maximum Grant Amount |
|----------------|-------------|--------|----------------------|
| C4-5648-01-00 | Menands (V) | Albany | \$1,707,325 |

Project Description

This project consists of planning, design and construction of water and sanitary system improvements in the South End Neighborhood. The project is defined by the engineering report entitled "South End Neighborhood Water and Sanitary Sewer System Improvements" dated November 22, 2021, revised April 21, 2023, by the engineering firm LaBella Associates, as may be updated, amended, supplemented, and approved by the Corporation.

| Project Number | Applicant | County | Maximum Grant Amount |
|----------------|-------------|---------|----------------------|
| C8-6414-03-00 | Wayland (V) | Steuben | \$750,000 |

Project Description

This project consists of planning, design and construction of wastewater treatment plant improvements for the Village of Wayland. The project is defined by the engineering report entitled "Wastewater Treatment Plant Effluent Disinfection Study" dated October 9, 2021 by the engineering firm MRB Group, as may be updated, amended, supplemented, and approved by the Corporation.

INFORMATION SUMMARY

Action

Authorizing the transfer of certain funds to assist the City of Mount Vernon by prefinancing their Water Quality Improvement Project ("WQIP") program grant.

Additional Information

The City of Mount Vernon, a financially stressed community, was awarded a \$10,000,000 WQIP grant by the Department of Environmental Conservation to upgrade Wastewater Outfalls 24 and 34. The upgrades will prevent the discharge of raw sewage into the Hutchinson River which will improve water quality.

RESOLUTION NO. [2985]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION MAKING CERTAIN DETERMINATIONS AND
AUTHORIZING THE TRANSFER OF CERTAIN FUNDS TO ASSIST THE
CITY OF MOUNT VERNON**

WHEREAS, pursuant to the New York State Environmental Facilities Corporation Act, being Chapter 744 of the Laws of 1970 constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, as amended (the "Act"), the New York State Environmental Facilities Corporation (the "Corporation") has been established as a body corporate and politic constituting a public benefit corporation; and

WHEREAS, pursuant to Chapter 565 of the Laws of 1989, as amended, the State Water Pollution Control Revolving Fund (the "CWSRF") was established in the custody of the Corporation; and

WHEREAS, in connection with its administration of the CWSRF, the Corporation collects certain administrative fees from recipients of CWSRF financial assistance; and

WHEREAS, subject to the limitations set forth in the Act and other state law, the Corporation's use of such administrative fees for "water quality purposes" is permitted under the Federal Water Pollution Control Act and the rules, regulations and guidance related thereto (collectively, the "CWSRF Rules"); and

WHEREAS, the City of Mount Vernon has been identified as a financially stressed community with significant water infrastructure needs; and

WHEREAS, the City of Mount Vernon was awarded a \$10,000,000 Water Quality Improvement Project program grant by the Department of Environmental Conservation ("DEC") to upgrade Wastewater Outfalls 24 and 34 (the "WQIP grant"); and

WHEREAS, the Corporation has determined that the upgrades which the WQIP grant will fund constitutes a water quality purpose; and

WHEREAS, the Corporation desires to provide financial assistance to the City of Mount Vernon by prefinancing the WQIP grant and to authorize the President of the Corporation or such person as the President may designate to expend funds for such purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE NEW
YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:**

Section 1. The President of the Corporation or the President's designee is hereby authorized to pay or cause to be paid to the City of Mount Vernon, an amount not to exceed \$10,000,000, to prefinance eligible costs incurred pursuant to the WQIP grant, provided, however that the outstanding balance of the financial assistance provided here under shall be no more than \$2,500,000 at any given time.

Section 2. The Corporation shall pay funds hereunder only upon approval by DEC of WQIP grant eligible costs incurred by the City of Mount Vernon. Further, the Corporation shall be reimbursed by the City of Mount Vernon from any WQIP grant proceeds received from DEC.

Section 3. The Corporation's source of funds for the payments authorized hereunder shall be limited to administrative fees it collects from recipients of CWSRF financial assistance to the extent such fees are not considered "program income" under the CWSRF Rules.

Section 4. The President, Chief Financial Officer, or Controller of the Corporation will confirm the availability of administrative fees prior to the release of any funds hereunder.

Section 5. The President, Chief Financial Officer, or Controller of the Corporation or such other person as the President may designate are each hereby authorized and directed to execute and deliver any such documents, agreements, instruments, certificates, or affidavits, to do and cause to be done any such other lawful acts and things as they may determine are necessary or proper for carrying out, giving effect to and consummating the transactions contemplated by this Resolution.

Section 6. This Resolution shall take effect immediately.

INFORMATION SUMMARY

Action

Authorizes the negotiation of and entry into a contract to provide financial printing services to the Corporation.

RESOLUTION NO. [2986]

**A RESOLUTION OF THE NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION AUTHORIZING THE PRESIDENT OF THE
CORPORATION OR THE PRESIDENT'S DESIGNEE TO NEGOTIATE AND
ENTER INTO A CONTRACT FOR FINANCIAL PRINTING SERVICES**

WHEREAS, the Corporation is authorized to enter into contracts to carry out its purposes; and

WHEREAS, the Corporation deems it necessary and desirable to engage the services of a financial printing company for the preparation, printing and distribution of the Corporation's Preliminary Official Statements, Official Statements, and Competitive Sale Bid Documents, associated with the issuance of the Corporation's bonds for the New York State Water Pollution Control Revolving Fund, New York State Drinking Water Revolving Fund, and certain Industrial Finance Program issues; and

WHEREAS, pursuant to the Procurement Guidelines of the Corporation (the "Procurement Guidelines"), a formal competitive procedure for selecting contractors is not required for contracts with associated service costs below \$50,000; and

WHEREAS, pursuant to the Procurement Guidelines, a contract with a term in excess of one-year requires approval by the Board of Directors (the "Board"); and

WHEREAS, the Corporation requested offers from four firms known to be qualified to provide financial printing services and wishes to recommend the firm that responded and whose services can meet the needs of the Corporation; and

WHEREAS, the Board desires to select and to authorize entry into contract with the recommended firm.

**NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE NEW
YORK STATE ENVIRONMENTAL FACILITIES CORPORATION, AS FOLLOWS:**

Section 1. The Board hereby approves the selection of ImageMaster, LLC to provide financial printing services to the Corporation.

Section 2. The President of the Corporation or the President's designee are each hereby authorized to negotiate and enter into a contract with ImageMaster, LLC to provide financial printing services, to be more particularly described in the contract. The contract period will be three years, upon such terms and conditions as the President or the President's designee determines to be appropriate and in the best interests of the Corporation.

Section 3. This Resolution shall take effect immediately.